

973.2
M414

BERNARD,
GAGE &
HOOD
LETTERS

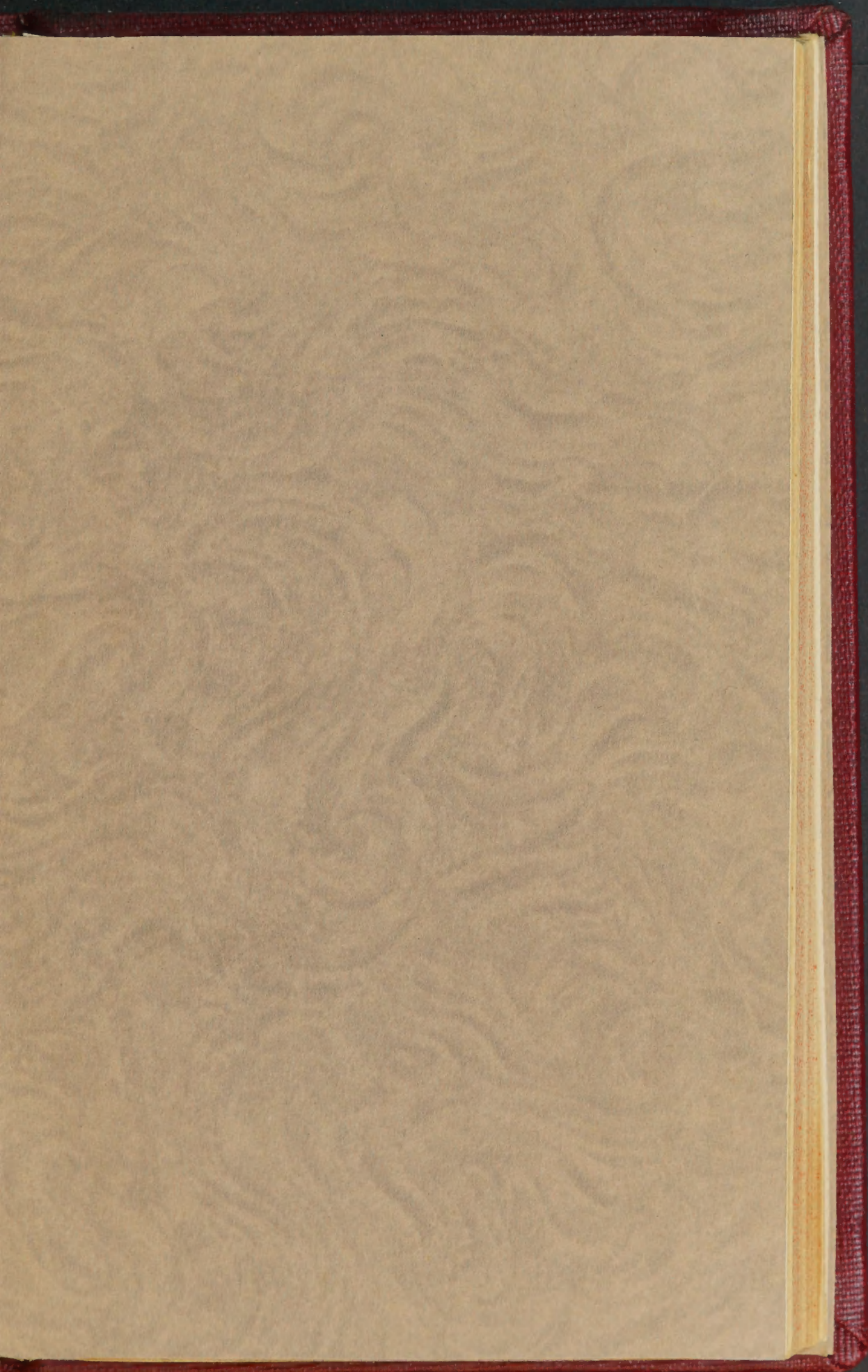
1769

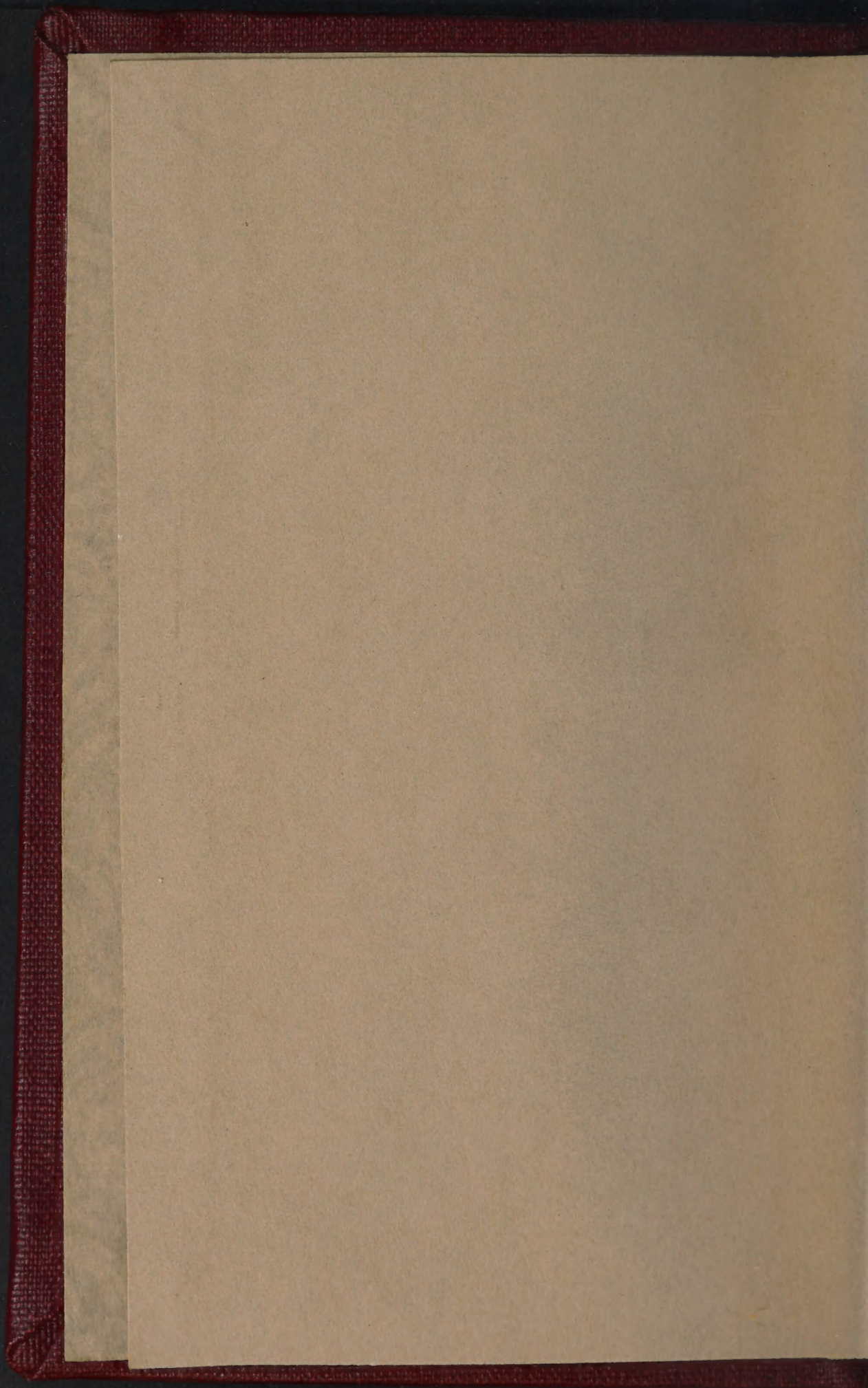


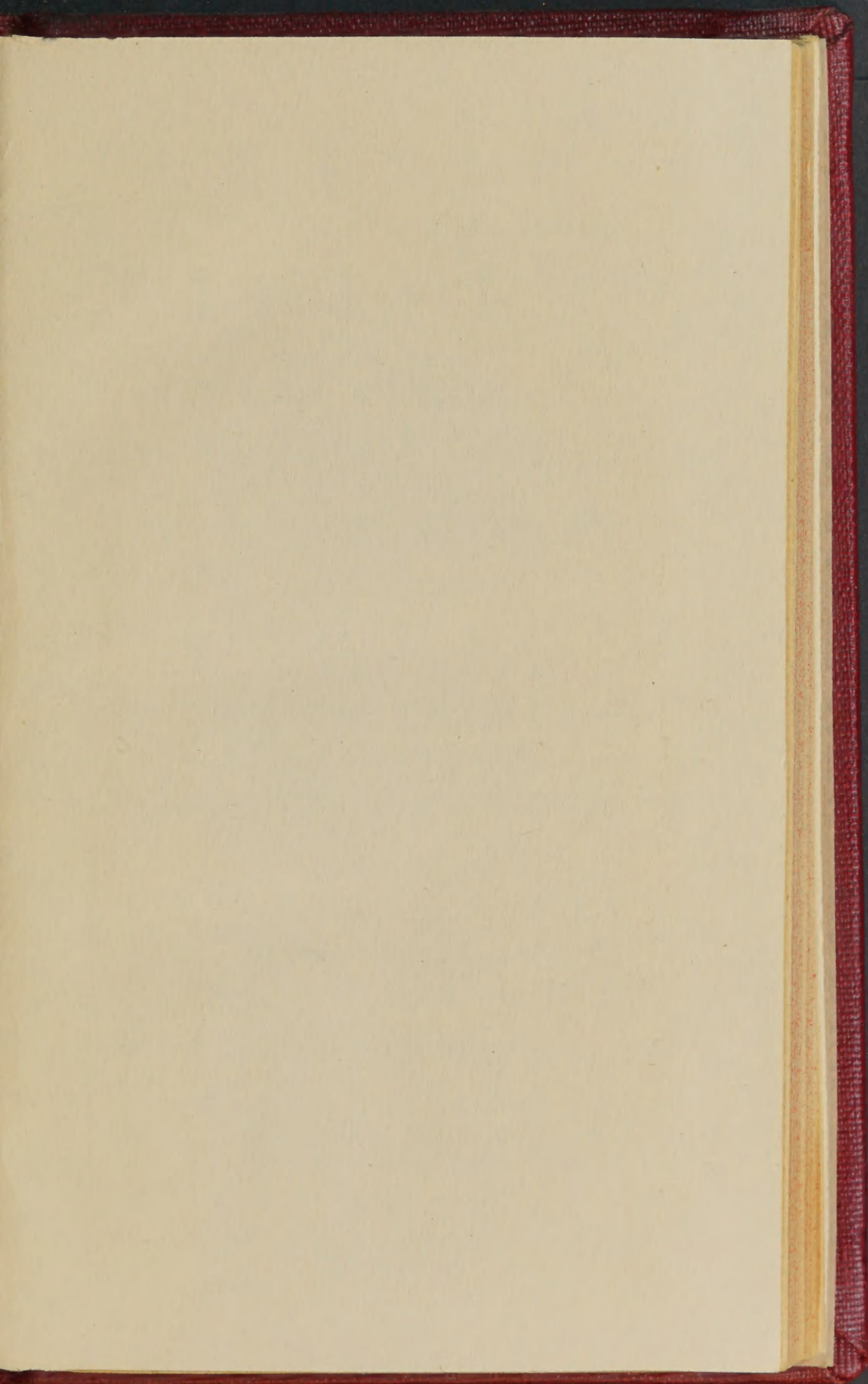


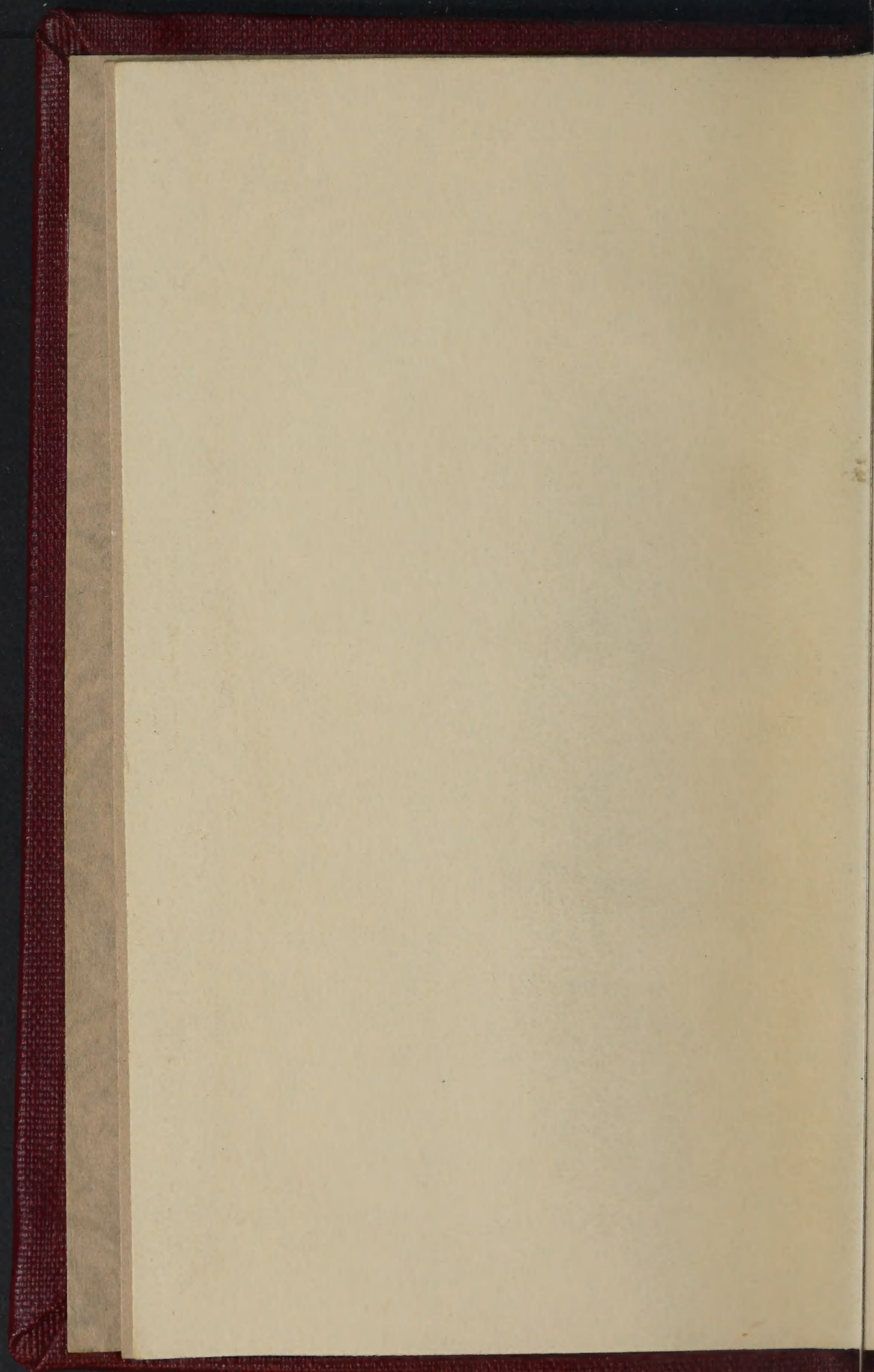


973.2
M414









L E T T E R S
TO THE
M I N I S T R Y,
FROM
GOVERNOR BERNARD,
GENERAL GAGE,
AND
COMMODORE HOOD.
AND ALSO,
M E M O R I A L S
TO THE
LORDS of the TREASURY,
FROM THE
COMMISSIONERS of the CUSTOMS.
WITH SUNDRY
L E T T E R S AND P A P E R S
ANNEXED TO THE SAID
M E M O R I A L S.

B O S T O N : N E W - E N G L A N D ,
Printed by EDES and GILL, Printers to the Honourable
House of Representatives, 1769: And,

L O N D O N :
Re-printed for J. WILKIE, at No. 71. in St. Paul's
Church Yard.

declared to be inherent in them, and especially in the present case, which was of Port Duties, which had heretofore been admitted to belong to Parliament, and now were to be taken away by a refinement, which, however it might read in American news papers, would never be heard in the two Houses; which allowed of no distinctions in what they should think fit to enact for America. I added, that if they should think proper to address his Majesty's Secretary of State upon this occasion, it was my official business to take the charge of it, and I should faithfully remit it, whatever the contents were; and if they put it into other hands, I should remonstrate against it as being irregular and unconstitutional for any addresses to pass from an Assembly (where the King has a Representative presiding) to his Majesty, either directly or indirectly, except through the mediation of his Representative.

As soon as the Assembly met, the House ordered the Commission of the Commissioners of the Customs, which was registered in the Secretary's office, to be brought in and read, and then appointed a Committee to consider the State of the Province, and report. This Committee reported a letter to Mr. De Berdt their Agent, and another to your Lordship: these being very long, they took many days consideration, in which many offensive passages were struck out; tho' I am told there still remain, at least in the letter to Mr. De Berdt, several bold expressions. These two letters took up eighteen days, after which the Committee reported an address to the King, which was concluded and agreed upon in four or five days more. When the two first letters were finished, I directed the Secretary to ask the Speaker, to let me have a sight of them, as I had been always used to do
in

in like cases, without ever being refused. The Speaker said he must advise about it; and afterwards told the Secretary, that there was an order of the House, that no copies should be taken, and therefore he could not let me have them. The Secretary replied, that that was no objection to my seeing them, for that I did not want any copy, and would give him any assurance that no copy should be taken, whilst in my hands; and advised him to see me. The Speaker came to me, and repeating his difficulties, offered to take the opinion of the House. I told him he should not move the House in my name, for I would not put it in their power to refuse me this; that I had already waited five days for a sight of those papers; and if he would not let me have it now, I should take it as a refusal, and should acquaint the Secretary of State with it; he still said, that he would endeavour to get leave to shew them to me; but nothing has been done. I must add, that I by no means apprehend this to be an affront to my person, but my office; for at this time the Speaker himself seemed uncommonly desirous by some other means to persuade me of his respect; and the House, from the time of the opening the Session to this day, has shewn their disposition to avoid all dispute with me, every thing having passed with as much good humour as I could desire, except only their continuing to act in addressing the King, remonstrating to the Secretary of State, and employing a separate agent, as if they were the States General of the Province, without a Governor or a King's Council.

It is the importance of this innovation, without any wilfulness of my own, which induces me to make this remonstrance to your Lordship, at a time when I have a fair prospect of having in all other business nothing but good to say of the pro-

ceedings of this House, I mean so far as their disposition has hitherto appeared.

A true copy.

Extract of a Letter from Governor Bernard, to the Earl of Shelburne, dated Boston, 30th January, 1768.

I Received your Lordship's letter No. 11, by the November mail, which arrived here this day se'nnight, the October mail, which has other letters of your Lordship for me, is not arrived here, tho' by the accounts we have, it is daily expected; I have therefore at present only to say, that I shall regard the letter now received rather for my own instruction, than a direction to others. The time is not yet come when the House is to be moved against popular printers, however profligate and flagitious. But if there was a view of success, I should by no means think it proper to make such an attempt now when the House shows so good a disposition to a reconciliation to government, of which they have given good proof, since the date of my former letter. They have acted in all things, even in their remonstrance (as far as I who have not been allowed a sight of it can learn) with temper and moderation: they have avoided some subjects of dispute, and have laid a foundation for removing some causes of former altercations: I speak this only from private report, nothing of this kind very material having as yet come up to me.

But in one thing the House has shown itself contra-agent to the faction, who want again to embroil America. There is no doubt but the principal design in forming these remonstrances was to set an example to the rest of America, and produce a general clamour from every other Assembly against

against the late acts. This was partly defeated by my refusing to call the Assembly before the usual time; and again by the House resolving to form their remonstrance in such a manner that it should not of necessity be made public; but tho' this last intention was quite inconsistent with the purpose of communicating the substance of their remonstrance to the other Assemblies, yet it did not discourage the party from attempting it; the House was accordingly moved that a day be assigned to take into consideration the propriety of informing the other governments with their proceedings against the late acts, that, if they thought fit, they might join therein. Upon the day this was strongly opposed and fully debated; it was said by the opposers of the motion, that this would be considered at home as appointing another congress, and perhaps the former was not yet forgot. Upon the close of the debate, it was carried in the negative by at least two to one. No one transaction in the House has given me so great hopes that they are returning to a right sense of their duty and their true interest, as this has done: and I hope it will make some atonement for their remonstrances.

A true copy.

Copy of a Letter from Governor Bernard, to the Earl of Shelburne, dated Boston, 2d February, 1768.

My Lord,

I HAVE just now received a packet from your Lordship's office (thirteen days after it arrived at New-York) containing among other papers your Lordship's letters No. 9 and 10, and the duplicate of your Lordship's letter No. 8. (the original having not as yet come to hand.) I am much obliged to your Lordship for representing my conduct to his

A 4

Majesty

Majesty so as to obtain for me his gracious approbation.

I shall make such a prudent and proper use of this letter, as I hope will perfectly restore the peace and tranquillity of this Province, for which purpose, considerable steps have already been made, by the House of Representatives. I am, &c.

FRA. BERNARD.

A true copy.

Extract of a Letter from Governor Bernard, to the Earl of Shelburne, dated Boston, February 18, 1768.

BY my letter No. 2, I informed your Lordship that a motion in the House for circulating a copy of their proceedings against the late acts of Parliament, to all the Assemblies on the Continent, had been rejected by above two to one; and that I formed promising conclusions from this defeat of the factious party; but I was too hasty in my approbation of the conduct of the House. This was too great a point to be given up; the party therefore resolved to make another effort, and having prepared the way by privately tampering with, and influencing particulars, they moved that all the former proceedings upon this business should be obliterated out of the Journal, which being agreed to, the way became clear for another motion that a Committee should be appointed to prepare a circular letter to the several Speakers of the Assemblies upon the continent, containing an abstract of their remonstrances against the late acts, and a desire that the other Assemblies *would join* with them; a letter was presently reported and agreed to by the House.

As

As soon as I knew that this was past, I got the Speaker to come to me, and in the presence of the Secretary required a copy of the Circular Letter that I might transmit it to your Lordship, to whom I said I should be obliged to send an account of this extraordinary proceeding, which I feared would be thought similar to the congress in 1765. He said that he did not doubt but that it would be easily obtained, with the leave of the House. He accordingly asked the leave of the House the next day, which he not only obtained for the copy in question, but also for the other proceedings of which he had refused me the sight some time before.

I now send your Lordship a copy of this Circular Letter, which I would animadvert upon, if the time would permit ; at present I will only make two observations: 1st, That this present undertaking is calculated to inflame the whole continent, and engage them to join together in another dispute with the Parliament, about the authority of the latter ; altho' the present subject matter was professedly allowed by the Americans themselves, to be within the bounds of the power of Parliament, at the time of the former dispute. 2dly, That the distinctions, by means of which they now transfer the matters contained in the late act of Parliament, from the range of what they before conceded to Parliament, to that of what they before denied, is equally conclusive of all acts of Parliament imposing duties in any of the American ports ; and consequently, if the last act should be given up to those pretensions, all other acts of American revenue must follow. I shall write fully to your Lordship upon this subject, when I have leisure to review the proceedings of this Session.

A true copy.

Extract

Extract of a Letter from Governor Bernard, to the Earl of Shelburne, dated Boston, March 5th, 1768.

YESTERDAY I prorogued the General Assembly, after a Session of above nine weeks, the greatest part of which was spent in animadverting upon, and counter-working the late acts of Parliament concerning the revenue, so that there was not time enough to do the Provincial business, nor even all of that which I recommended to them at the opening of the Session; some of the productions of these animadversions, will come to your Lordship directly from the Speaker of the House.

The circular letter to the rest of the Colonies, I have already sent to your Lordship; there is a letter, I am told, from the House to the Lords of the Treasury, but there is no occasion for my communicating that; I now send a copy of the resolves of the House upon importations and manufactures; it is so decently and cautiously worded, that at another time it would scarce have given offence: but they boast of it, as it was meant to be a confirmation of the Boston resolves.

On February 28th, appeared in the Boston Gazette a virulent libel against me.—I had never before taken any notice of the libels published in the Boston Gazette; but this was attended with so many circumstances of flagitiousness that I did not think I could with safety to the Government pass it by unnoticed; I therefore next morning laid it before the Council at a very full board, there being twenty present, which is the whole number but three. It was received with general detestation; most of the Gentlemen spoke to testify their abhorrence of it, and it was remarkable that some of those who heretofore had been inclined to the popular side, were most loud in their resentments of

of this outrage. In the end they unanimously advised me to lay it before the two Houses of the General Court, that is, themselves in their legislative capacity, and the House of Representatives. This I did by a message to each, in the terms inclosed, which are the same except in the proper distinctions.

The Board appointed a Committee to prepare an answer to my message, which was reported and agreed upon unanimously by the same number as before mentioned: In the House, which was grown thin, and evacuated by the friends of government in greater proportion than the opponents, it had not the same success. They laboured with all their might to prevent the paper being censured. It was debated a whole afternoon, and adjourned to the next morning, during which interval all the usual practices of tampering with the Members were employed, and the next day upon a vote the consideration of the libel was dismissed. The chief argument used for this purpose was, that as there was no name used, it was not a libel in law, and would not be considered so in a court of justice; it was finally agreed, that the message as inclosed should be sent to me. The faction carried their points by small majorities; upon the last question the numbers were thirty-nine to thirty, the greater of which is about one third part of the whole House; upon this occasion —— behaved in the House like a madman; he abused every one in authority, and especially the Council, in the grossest terms.

The next morning he came into the Council-chamber, before the Board met; and having read the Council's address, he with oaths and imprecations vowed vengeance upon the whole Council at the next election, and told one Counsellor who happened to be there, that he never should sit at
that

that Board after his year was out. This is the man who makes such a disturbance about my using my negative in the appointment of Councillors; the annual election of whom is the canker-worm of the constitution of this government.

It may be expected that after such strong declarations against this libel, the Council would have joined with me in the prosecution of the printers, but that could not be brought about; it was known that I intended to move that business, and therefore one of the Board, in the name of some of my friends, was sent to me to advise the contrary. It was suggested, it would be better to leave the matter where it stood, with a continued unanimity of the (almost) whole Council, than by proceeding farther to divide them, especially as it was thought probable that a vote for a prosecution might not be obtained. I was satisfied with these reasons, and declined making any further motion. This is one of the consequences of that fatal ingredient in this constitution, the election of the Council, which will always weaken this government, so that the best management will never make its weight capable of being put in the scales against that of the people, tho' the late act of Parliament will do much toward it. However, I ordered the Attorney-general to procure informations, so that if a prosecution may hereafter be thought advisable, it may be practicable. But after all, these printers are answerable to Great-Britain, an hundred times more than they are to this; and while that debt remains unsatisfied, we ought not to complain that it is not paid here.

I had intended when I prorogued the General Court, to have made a short speech to the House, in answer to their last message on your Lordship's letter; but their publishing that message in one of their papers, and that virulent libel in the next, shewed

shewed such a determined design to misrepresent me to the people, that I was obliged to enter more fully into my justification than I intended to have done at first; and accordingly I delivered the speech inclosed: I flatter myself it will have very good effects from the general approbation it has received from all parties in this town; it is intended to open the eyes of the people, to the wickedness of this factious junto, though perhaps they will not see it clearly till they feel some of the effects of its machinations, which cannot fail of coming upon them in some shape or other, as they are now going on.

A true copy.

Extract of a letter from Governor Bernard to the Earl of Shelburne, dated Boston, March 12, 1768.

SINCE I wrote my last the superior Court has been opened at Boston, upon which occasion the Chief Justice (Lieutenant Governor) made a long and forcible charge to the Grand Jury upon the subject of the libels published in the Boston Gazette, and particularly that which has been lately animadverted upon by the Council. This so sensibly affected the Grand Jury and all the hearers of it, that it left no doubt in the mind of any one present, that the Grand Jury would find a bill against the printers. And they themselves had so little doubt of it, that as soon as they came out of Court they sent for the Attorney General, and directed him to prepare a Bill against the next morning.

But in the interval, the faction who conducts that paper, was indefatigable in tampering with the Jury, so that when the business was resumed the next day, that Bill was opposed so effectually that it passed in the negative by a small majority, some say of one only. Upon this occasion the managers
of

of the paper were seen publickly to haunt the Grand Jury-men wherever they went.

Sensible people who have a regard for their country are much concerned at this defeat of Justice. They say that it is a symptom of such extreme weakness in the Government, that it affords little hopes of its recovery. And indeed I do not expect the Government will ever recover its authority without aid from superior Powers. If the opposition was directed only against persons and measures, a reconciliation might and would soon take place, and all might be well again. But men and measures are only nominal defendants, the authority of the King, the supremacy of Parliament, the superiority of Government, are the real objects of the attack, and a general levelling of all the powers of Government, and reducing it into the hands of the whole people, is what is aimed at, and will, at least in some degree, succeed, without some external assistance. The Council, which formerly used to be revered by the people, has lost its weight, and notwithstanding their late spirited exertion, is in general timid and irresolute, especially when the annual election draws near. That fatal ingredient in the composition of this constitution is the bane of the whole, and never will the royal scale be balanced with that of the people till the weight of the Council is wholly put into the former. The making the Council independent of the people (even though they should still receive their original appointment from them) would go far to cure all the disorders which this Government is subject to. But, my Lord, whilst I am treating of the constitutional imbecility of the Council, I must not forget my promise that I would represent to his Majesty the public spirited conduct of the Council during this last Session. I must therefore beg leave to assure

sure your Lordship, that in many transactions in this last Session, the Council have in general shown great attention to the support of the Government and the welfare of the people, and have upon many occasions shewn a resolution and steadiness in promoting his Majesty's service, which would have done honour to his Majesty's appointment if they had wholly held their places under it, which makes it more to be lamented that such men should be subjected to be continually threatned to be turned out of their places, whenever they exercise the dictates of their own judgments in contravention to the fury of a seditious demagogue.

I must not omit to do justice to the spirited conduct of the Lieutenant Governor, in his function of Chief Justice. It gives me great pleasure to say, that I can depend upon his resolution and steadiness as much as I can upon my own; and am assured that there will be no want of a due enforcement of the laws to the correction of the present abuses. Where there is a failure of this exertion, it will arise either from the defaults of Juries, or from the controul which in this defenceless Government the common people sometimes exercise over the laws, especially the laws of Great Britain. The Chief Justice has been much prest to print his charge; but has hitherto declined it. However, he has reduced it to writing, that if it should be misrepresented in the Boston Gazette (as from the great licentiousness which reigns here is very probable) he may be able to justify himself. In the meantime, as he has begun with these printers, he will, I dare say, pursue his purpose; and as the publication of this paper is a crime committed in every county in the province, it is probable, that another Grand Jury may not be so regardless of their oath

oath and their duty to their country, as this has been. I am, &c.

FRA. BERNARD.

A true copy.

Copy of a letter from Governor Bernard to the Earl of Shelburne, dated Boston, March 19th, 1768.

My Lord,

I Expected that the appointment of Commissioners of Customs, in America, would have made it unnecessary for me to have troubled your Lordship with any representations upon the subject of the Customs. But I see such an opposition to the Commissioners and their Officers, and such a defiance to the Authority by which they are appointed continually growing, that I can no longer excuse my informing your Lordship of the detail of facts from whence the most dangerous consequences are to be expected.

It is some time since there have been frequently reports of insurrections intended, in which it has been said the houses of one or more of the Commissioners and their Officers would be pulled down; two were more particularly fixed upon. Upon one of these nights a number of lads about a hundred, paraded the town with a drum and horns, passed by the Council Chamber whilst I was sitting there in Council, assembled before Mr. Paxton's (a Commissioner's) house, and huzza'd, and to the number of at least sixty lusty fellows (as I am assured) invested Mr. Burch's (another Commissioner's) house for some time, so that his Lady and children were obliged to go out at the back door to avoid the danger which was threatened. This kind of disturbance was kept up all the evening, and after all was treated as the diversion of a few boys, a
matter

matter of no consequence. This was I think on March the 4th.

After this it was reported that the insurrection was postponed till March 18, which was the anniversary of the repeal of the Stamp-Act, upon which day Effigies were to be exhibited, and two persons, Mr. Paxton a Commissioner, and Mr. Williams one of the Inspectors General, were mentioned as devoted to the resentment of the mob. I took all the pains I could to discover the truth of this report, but could get no other answer, but assurances that no such thing would be done or suffered. On the very day before I spoke with the most knowing men I could procure, who were very positive that no Effigies would be hung up, and yet late that evening I had certain advice that Effigies were prepared, but it was too late to do any thing, and my information was of that nature I could not make use of it in public.

Early the next morning the Sheriff came to me to inform me that the Effigies of Mr. Paxton and Mr. Williams were hanging upon Liberty-tree. I had the day before appointed a Council to meet, and I now sent round to get them together as soon as possible it might be. Before I went to Council I learned that the Effigies had been taken down by some of the neighbours without any opposition.

At Council I set forth in strong terms the atrociousness of this insult, the danger of it's being followed by actual violence, and the necessity there was of providing for the preservation of the peace of the town. But all I could say made no impression upon the Council, they persevered in treating the affair as of no consequence, and assuring me that there was no danger of any commotion. After they had given their opinion as in the inclosed copy of the minutes, I received a letter from the Com^{rs}
B
missioners,

missioners, setting forth the insult they had received, the danger they apprehended, and desiring the protection of the government. I communicated this to the Council, and proposed that they should reconsider this business; but finding them not inclined to depart from their opinion as before given, I adjourned the reconsideration till the afternoon. In the afternoon upon the question being put to them again, they adhered to their former opinion.

I should have mentioned before, that under all these assurances I had, that there would be no disturbances, it was never understood that the day the anniversary of the repeal of the Stamp-Act should not be celebrated; accordingly at break of day there were beating of drums, and firing of guns heard, and the whole town was adorned with ships' colours, and to add to the celebration, the feast of Saint Patrick being the day before was postponed to this day.

However, great pains were taken by the selectmen of the town, and some other gentlemen, that the festivity should not produce a riot in the evening, and so far it succeeded that it produced terror only, and not actual mischief.

There was a number of gentlemen dined at two taverns near the town-house, on the occasion of the day. These broke up in good time; after which many of the same and other gentlemen kept together at the coffee-house (one of the taverns) all the evening. These prevented the lighting a bonfire in that street, which was several times attempted, and would probably have been a prelude to action. But the assembling a great number of people of all kinds, sexes and ages, many of which shewed a great disposition to the utmost disorder, could not be prevented. There were many hundreds of them paraded the streets with yells and outcries

cries which were quite terrible. I had in my house Mr. Burch one of the Commissioners, and his lady and children, who had the day before moved to our house for safety.

I had also with me the Lieutenant-Governor and Sheriff of the county. But I had taken no steps to fortify my house, not being willing to show an apprehension of danger to myself. But at one time there was so terrible a yell from the mob going by, that it was apprehended that they were breaking in, but it was not so. However, it caused the same terror as if it had been so; and the lady, a stranger to this country, who chose our house for an asylum, has not recovered it as yet. They went on and invested Mr. Williams's house, but he shewed himself at a window, and told them that he was ready for their reception, and they went off, and either did not intend or dared not to attack his house. They also at two different times about midnight made outcries about Mr. Paxton's house, out of mere wantonness to terrify his family. The whole made it a very terrible night to those who thought themselves objects of the popular fury; and yet if I should complain of it, I should be told that it was nothing but the common effects of festivity and rejoicing, and there was no harm intended.

Your Lordship will perhaps ask what I have been doing all this while, that this spirit of disorder is got to such a pitch; I answer, every thing in my power to prevent it; since first these tumults were apprehended, the Commissioners, with whom (I mean four of the five) I am upon the most intimate terms, have often asked me, what support to their office, or protection for themselves, I can afford: I answer, None in the world. For tho' I am allowed to proceed in the ordinary business of the Government without interruption; in the business of

a popular opposition to the Laws of Great Britain founded upon the pretensions of Rights and Privileges, I have not the shadow of authority or power. I am just now in the situation I was in about two years ago, sure to be made obnoxious to the madness of the people, by the testimony I am obliged to bear against it, and yet left exposed to their resentment without any possible resort of protection. I am then asked why I don't apply for troops, as well to support the King's Government as to protect the persons of his Officers. I answer, because I don't think it proper or prudent to make such application upon my own opinion only.

All the King's Governors are directed to take the advice of the Council in military movements; and in this Government where the Governor is in a more peculiar manner obliged to have the advice of the Council for almost every thing he does, it would be dangerous to act in such an important business without such advice. And it is in vain to put such a question to the Council, for, considering the influence they are under from their being creatures of the people, and the personal danger they would be subject to in assisting in the restraining them, it is not probable that the utmost extremity of mischief and danger would induce them to advise such a measure. I have once before tried the experiment when the danger was more urgent and immediate than it is now; and the success then fully convinced me that it is to no purpose ever again to repeat the question. His Majesty's Ministers have within these three years been fully acquainted with the defenceless state of this Government, and therefore I trust that I shall be excused leaving it intirely to the Administration to determine upon a measure, which they are much more able to judge of, and be answerable for, than I can be. I shall have danger
and

and trouble enough when such orders arrive, tho' I keep ever so clear of advising or promoting them. These, my Lord, are the answers I have given to the Commissioners in the course of conversation; which I have thought proper to recapitulate in this place for my own vindication if it should be needful. I should have mentioned before, but for not interrupting the narrative, that in the Debate at the Council one gentleman said that there were associations formed for preserving the peace of the town; I said that I had not been made acquainted with them, that if there were any such they ought to have been formed with my privity, and confirmed by my authority. That if a general association for supporting the authority of the Government and preserving the peace of the town could be brought about, it would be of great service, and I should be glad to see it set about immediately. Upon this a Councillor got up with vehemence, and said, that such a subscription was illegal and unconstitutional, and he should protest against it, as tending to bring an opprobrium on the town. I said, that at a time when a subscription was handed about the town in direct opposition to the Parliament and people of Great Britain, and was every day enforced by menaces, and other unfair methods, it was very extraordinary at that Board to hear a subscription for the support of Government and preservation of peace called illegal. That I should not endeavour to press a measure which would derive its chief efficacy from being voluntary, but I feared they would see the expediency of such a measure when it was too late. From this and the generality of the assurances that no mischief would be done, I am to understand that the preservation of the peace of this town is to depend upon those who have the command of the mob, and can restrain them (and

of course let them loose) when they please, and Civil Authority is not to interpose in this business; and indeed I have with attention observed that all the assurances that no mischief was intended at present, are founded upon the impropriety of using violence at a time when they were applying to the Government and Parliament of Great Britain for redress. But it is inferred, and sometimes expressly declared, that when they have advice that the redress which they expect is denied, they will immediately proceed to do themselves justice. And it is now become common talk, that they will not submit to duties imposed by Parliament, not only those imposed by the late Acts, but all others which raise a revenue. This is publick talk; as for the sanguine expectations which the faction, from whose cabinet all these troubles have arisen, has formed for controlling and triumphing over Great Britain; I dare not repeat what I have heard till their purposes become more apparent.

In this narrative I have taken no notice of the town meetings, meetings of merchants, subscriptions for not importing English goods, proposals for manufactures, &c. which have been carrying on before and during the whole aforementioned time. I intend to make a separate letter upon these subjects, which possibly may accompany this, as I am not at present apprised of a conveyance safe enough to trust this by. I am, &c.

FRA. BERNARD.

A true copy.

Extract of a Letter from Governor Bernard to the Earl of Shelburne, dated Boston, March 21, 1768.

IN my last letter I omitted giving your Lordship an account of the meetings of the merchants, &c. within

within the time I was describing, as I reserved it for a separate letter; as the two subjects are not necessarily connected, and I can't say how far they are really so. These proceedings however so immediately followed a particular transaction, that it is necessary to begin the narrative with that.

About the middle of February one Malcom a trader, who about eighteen months before made himself famous by a violent and riotous resistance to the Custom House officers, endeavouring to search his house for uncustomed goods, (of which there is a very full account in your Lordship's office) expecting a Schooner laden with Fyal wines to come in, asked an officer of the Customs, what indulgence he might expect in regard to the duties. The officer answered him, None at all; he must pay the whole duties: Malcom replied, he was glad to know what he had to trust to. Some days after the Schooner came in, and was ordered to anchor among the islands five miles below the town. From thence the cargo, consisting, as is said, of above 60 pipes of wine, was landed in the night, and carried in drays to different cellars, each load being guarded by a party of men with clubs. This business employed a number of men the greatest part of the night, and was as notorious, by the noise it occasioned for many hours together, as if it had been done at noon-day. The lading of the Schooner was also publicly known and talked of long before she arrived. She appeared plainly when she came up to town by well-known marks to have been lightened a yard or more, and was evidently too light to bear the sea. Nevertheless the master went to the Custom House, and swore that she came from Suranam in ballast, and had landed nothing since she left that port.

Two or three days after, this Malcom procured a meeting of some merchants and traders, at which he

presided. Their deliberations were sanguine, and full of high pretensions; but nothing was determined upon, but to call a general meeting of the merchants on Friday, March the 4th. This may be said to be the first movement of the merchants against the acts of Parliament: all the proceedings before were carried on at town meetings, and were rather upon refinements of policy than concern for trade. There never was less reason for the merchants to complain of the regulations of trade than at present; there never was a greater plenty of money, or a more apparent balance of trade in their favour, of which the state of exchange with London, which now is, and for a long time, has been at par, is an irrefragable evidence. However, the merchants are at length dragged into the cause, their intercourse and connections with the politicians, and the fear of opposing the stream of the people, have at length brought it about against the sense of an undoubted majority both of numbers, property and weight. Accordingly the result of this meeting was, that a subscription for not importing any English goods, except for the fishery for eighteen months, should be prepared and carried round the town, and a Committee was appointed for that purpose. This was the same night that the little mob with the drum passed by the Town-house.

Upon the subscription paper first going round the town, it met with no great success; a great many declined it, as indeed it cannot fail being ruinous to the generality of traders. Upon this, all engines were set to work to increase the subscription; some were told they would be obnoxious to the lower sort of people; others were threatened with the resentment of the higher: some were made afraid for their persons and houses; others for their trade and credit. By such means the subscription has been filled by

numbers, who if at liberty would protest against the force put upon them, and neither intend nor can comply with the terms, and there are still remaining enough of the most respectable merchants in the town, non-subscribers, to defeat this scheme, even if the subscribers were to keep to their promise: and it never can be carried into execution without the interposition of the mob. But it is scarce a secret with any of them, that the chief intent of this subscription is to raise an alarm among the merchants and traders of Great-Britain.

To illustrate the foregoing narrative, I send your Lordship their own account of the meeting on the 18th, with a list of the toasts as usual. There is also in the same paper, a piece containing a sneer upon the late proceedings of Parliament; the whole wit of which arises from the common assertion, that the Parliament has no right to impose duties in the American colonies—no more than they have in Portugal. In the same is also the letter to your Lordship, and the address to the King is in another of the same papers, and in others. This shews that the chief use of these letters is to inflame the other colonies: for unless they preferred this service to the obtaining redress from home, they could not be so deficient in duty, respect and even common civility, as to publish in America an address to the King, and a letter to his Minister of state, before they could have come to hand in England. Heretofore even a complimentary address to the King never used to be published in America, till it appeared there in the Gazette. In short, your Lordship may depend upon it, that nothing less than the abolition of all the acts imposing duties is proposed. When that is done, the transition to all other acts of Parliament will be very short and easy.

I am, &c.

FRA. BERNARD,

A true Copy.

Copy of a letter from Governor Bernard to the Earl of Hillsborough, dated Boston, 11th and 13th June, 1768.

(No. 5.)

My Lord,

I Am sorry to inform your Lordship that a great riot happened in this town last evening, which had very bad consequences, tho' happily there were no lives lost. The Collector and Comptroller of this port, seized a sloop for openly and forcibly landing a cargo of wines without paying duty, and by means of assistance from the Romney man of war, secured her. Upon their return home, they were attacked by a mob with clubs, stones and brickbats; Mr. Harrison the Collector, was much bruised, particularly in the breast, but kept his legs so as to escape through an alley. Mr. Hallowell the Comptroller, *was knocked down, and left on the ground covered with blood.* He has many wounds and bruises, but none dangerous to life. Mr. Harrison's son, a young gentleman not in any office, who accompanied his father, was knocked down and dragged by the hair of his head, and would have been killed, if he had not been got into a house by some standers by. In another part of the town Mr. Irvine, under the Board of Commissioners, was attacked by another mob, very much beat and abused, and would probably have been killed if he had not been rescued by two of the mob, and enabled to escape through an house. This gentleman was no ways concerned in the seizure.

After this they went to Mr. Hallowell's house, and began to break the windows and force an entry, but were diverted therefrom by assurances that Mr. Hallowell was almost killed, and was not at home. They then went to Mr. Harrison's and broke his windows, but he not being at home, and

and the owner of the house entreating them to depart, they left it. Then they went to Mr. Williams's house, one of the Inspectors general, who was then at a distance from Boston, and broke near an hundred panes, and did other damage to the house ; but upon Mrs. Williams appearing and assuring them, that he was absent, and only she was at home, they departed. Happily they did not break into any house, for if they had got at a cellar, the mischiefs would have been greater and more extensive.

After this they went to a wharf where lay a pleasure-boat belonging to Mr. Harrison, built by himself in a particular and elegant manner. This they took out of the water, and carried it into the common and burnt it. By this time there were about 500, some say 1,000 men gathered together whilst the boat was burning. Some gentlemen, who had an influence over them, persuaded them to depart: this was debated and put to the vote, whereupon proclamation was made, "each man to his tent." Before this they were harangued by a leader, who, among others, used these words as they have been reported to me, "We will support our liberties, depending upon the strength of our own arms and God." Whilst they were upon the common, they got some rum, and attempted to get more ; if they had procured it in quantity, God knows where this fury would have ended. And now the terror of the night is over, it is said to be only a prelude to further mischiefs, the threats against the Commissioners and all the Officers of the Board being renewed with as great malice as ever.

This morning I got the Council together as soon as I could, and laid this affair before them ; after a long altercation about what should be done, in which appeared a disposition to meddle with it as
little

little as possible, it was advised and ordered that such of the Council as were Justices of the Peace, should assist me in ascertaining the facts by the examination of witnesses, and Monday morning at nine o'clock is appointed for proceeding upon this business. When this is done, I shall be able to give your Lordship a more full and particular account of this affair. At present what I send is only the heads of it, which I dare say will not vary materially from the most authentic narrative. And I write this at present in order to send it by the Post to New-York, to take the chance of the packet, which it will probably just hit the time of. I am, with great respect, my Lord,

Your Lordship's most obedient, humble servant,
FRA. BERNARD.

To the right honourable
the Earl of Hillsborough.

P. S. June 13. This morning early I received a letter from the Commissioners, informing me of some particulars, from whence they concluded that they were immediately exposed to further violences, and therefore they on Saturday evening took shelter on board the Romney man of war. That it being necessary to provide for their further security, they desire that their families and officers may be received, accommodated and protected at the Castle. I immediately answered this, by inclosing an order to the Captain of the Castle to receive them accordingly.

This morning a paper was found stuck upon Liberty-tree, inviting all the sons of liberty to meet at six o'clock, to clear the land of the vermin which are come to devour them, &c. &c. I have been in Council all this morning, to consider of preventing an insurrection to-night; no resolution has or will be taken before I send away this.

this. Perhaps the Commissioners retiring may assist our purposes.

A true copy.

Copy of a letter from Governor Bernard to the Earl of Hillsborough, dated Roxbury, near Boston, June 14, 1768.

My Lord,

BY my letter No. 5, I informed your Lordship of a riot which happened on the 10th of June in the evening, and that upon my laying the matter before the Council, they advised that such of the Board as were Justices of the Peace should assist me to ascertain the facts, after which the whole should be taken into consideration. I should have added, that there was then no apprehension in the Council that there would be a repetition of these violences, nor indeed did any such immediate danger appear to me whilst I staid in Boston, which was till sunset, when I went to my country house, about four miles from Boston.

The next day being Sunday, I heard some loose reports that there was to be another rising. Early in the afternoon, the son of Mr Harrison the Collector, came to me, and said, that his father apprehended that his life would be in danger if he staid in Boston, and desired I would give an order that he should be received at the Castle. I accordingly gave him such an order. The next morning being Monday the 13th, a little after five o'clock, I received a letter from the Commissioners, which is mentioned in the P. S. of my last; a copy of which, together with my answer, and my order to the Commander of the Castle, I herewith inclose; immediately after, I went to town, and ordered
the

the Council to be summoned to meet at nine o'clock. Before I went to Council, the Sheriff came to inform me, that there was a most violent and virulent paper stuck up upon Liberty-tree, containing an invitation to the sons of liberty to rise that night, to clear the county of the Commissioners and their officers, to avenge themselves of the officers of the Custom-house, one of which was by name devoted to death; there were also some indecent threats against the Governor, if he did not procure the release of the sloop which was seized. In the afternoon, as I came to the Town-house where the Council-chamber is, I found several hand-bills which have been circulated round the town, stuck up there; an exact copy of which follows.

Boston, June 13, 1768.

The sons of liberty request all those who in this time of oppression and distraction, wish well to and would promote the peace, good order and security of the town and province; to assemble at Liberty-hall under Liberty-tree, on Tuesday the 14th instant, at ten o'clock in the forenoon, precisely.

When I got into the Council-chamber in the morning, after waiting for a full Board, I told them that there was no time to enquire of the particulars of the former riot which was accidental, when we were immediately threatened with new disturbances premeditated; I therefore laid before them the informations I had received, and desired that they would take into consideration the necessity of providing for the peace of the town, and the proper means of doing it: but notwithstanding all, I could not bring them to any conclusion, or even to state a question. All that was done in the morning, was to censure an expression in the Commissioners letter, which obliged me to write the
letter

letter the second of that date. About one o'clock they desired me to adjourn the Council till four o'clock in the afternoon, that in the mean time they might inform themselves of the probability of new disturbances arising.

In the afternoon the printed paper was laid before the council; but it was not considered as an implication of danger; neither was the impropriety of the sons of liberty appointing a meeting to secure the peace of the town, when the Governor and Council were sitting upon that business and seemingly to little purpose, taken much notice of. I laid before them the letter of the Commissioners of that day; but a disposition to censure it rather than to answer it appearing, I postponed the consideration of that letter, till after the determination of the main question. Fresh attempts were made to get rid of the business, and it was again proposed, as it had been in the morning, that I should lay the business before the General Court by a message to both Houses. I called for the journal of the House, and shewed them that when I pursued this method (upon the Stamp-act riots) with the advice of the Council, I was told by the House that it was the business of the executive government to quell riots, and the legislature had no right to interpose, unless new laws were wanted. That there was as much reason for them to give the same answer now; and I did not care to receive it twice. But the bias still running this way, I was obliged to give it up, and leave it to the Council to raise a Committee of both Houses to consider of this business, although I had many objections to this measure: but I could not help myself.

In the course of these debates I told them, that if this had been the first business of the kind, I should have asked their advice, Whether I should not send
to

to the general for troops? but having tried it at a time when there was at least as much danger as now, and found them utterly averse to it, let the danger be ever so great and imminent, it would be in vain to repeat the question; however, I was ready to do it, if any one gentleman would propose it. I was answered, that they did not desire to be knocked on the head: I said that I did not desire that they or I should; but I was ready to take my share of the danger if they would join with me, though I could not alone in so unpopular a measure; for if I did, I must quit the government at least for the present. I added, that though I was well assured, that if I put this question, every gentleman would answer in the negative, yet I doubted not but every one would be glad to see the peace of the town restored by this method, if it should appear to be the only one left. No answer was given.

By the removing this business into the General Court, it is taken out of my hands, any further than the final consent or dissent to what shall be sent up to me. It is not with my approbation, nor entirely to my dissatisfaction; for as I cannot conduct the business as it ought to be, it may be best for me to have little hand in it.

I am, &c.

To the right honourable
the Earl of Hillsborough.

FRA. BERNARD.

P. S. As I have not been able to proceed in the enquiry, I here inclose copies of the depositions taken by the Commissioners.

The meeting of the sons of liberty in my next.
VIII.

A true copy.

Copy

Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated Boston, June 16 and 18, 1768.

My Lord,

I Come now to give your Lordship an account of the meeting at Liberty-tree, in pursuance of the printed notice, a copy of which I inserted in my last. Your Lordship must know, that Liberty-tree is a large old elm in the High-street, upon which the Effigies were hung in the time of the Stamp-act, and from whence the mobs at that time made their parades. It has since been adorned with an inscription, and has obtained the name of Liberty-tree, as the ground under it has that of Liberty-hall. In August last, just before the commencement of the present troubles, they erected a flag-staff, which went through the tree, and a good deal above the top of the tree. Upon this they hoist a flag as a signal for the sons of liberty, as they are called: I gave my lord Shelburne an account of this erection at the time it was made. This tree has often put me in mind of Jack Cade's oak of reformation.

Upon this staff the flag was flying early in the morning on Tuesday. At the time appointed there were assembled they say at least four thousand men, many having come out of the country for that purpose; some of the principal gentlemen of the town attended, in order to engage the lower people to concur in measures for peace and quiet. One of the Select-men was chosen moderator or chairman, when it was found that they could not do business there, they adjourned to the Town-hall. Here it was objected, that they were not a legal meeting; to obviate this, they adjourned to the afternoon, that in the mean time the Select-men might call a town-meeting to legalise the Assembly.

In the afternoon they met in a large meeting-house, the Town-hall being not large enough for the company, and Mr. Otis was chosen Moderator. Many wild and violent proposals were made, but warded off. Among these were, "that every captain of a man of war that came into this harbour, should be under the command of the General Court:" Another was, "that if any person should promote or assist the bringing troops here, he should be deemed a disturber of the peace, and a traitor to his country." But nothing was done finally but to pass a petition to the Governor, and to appoint a Committee of twenty-one persons to resort to his country-house (where I then was) and present it to him; and to appoint a Committee to prepare instructions for their representatives, and a letter to Mr. De Berdt, as their agent, after which they adjourned to the next day.

The same evening the Committee, which was in general very respectable, attended me in a train of eleven chaises: I received them with all possible civility, and having heard their petition, I talked very freely with them upon the subject, but postponed giving a formal answer till the next day, as it should be in writing. I then had wine handed round, and they left me highly pleased with their reception, especially that part of them which had not been used to an interview with me. The next day Mr. Otis having received my answer in writing, reported the whole, took notice of the polite treatment they had received from me; and concluded, that he really believed that I was a well-wisher to the province: this from him was uncommon and extraordinary. The answer was universally approved, so that just at this time I am popular: whenever my duty obliges me to do any thing which

which they don't like, there is an end of my popularity, and therefore I do not expect to enjoy it a week. I should here mention, that I am not sure that the appointment of the Committee for preparing instructions, &c. which I have mentioned to have been done on the first day, was not on the second, but it is not material. They then adjourned to Friday next in the afternoon. There was but one thing mentioned in the Petition that I could do; and that I had promised the Select-men two days before that I would do: this was to settle with Capt. Corner, commander of the Romney, a regulation for impressing men, so that it might not hurt the town. And this I had settled long before; only there happened to be one single breach of it by an inferior officer against his orders. And, indeed, the mob of the town had lately used him and his officers so very ill, that he was disengaged from any promise he had made, if he had desired it. I accordingly went on board the Romney, attended by three of the Council, and had a full conference with the Captain, in which he acted with the utmost candor and good nature; and after recapitulating the injuries he and his officers had received, renewed the engagement concerning pressing, and professed a desire of making that service agreeable to the town. In the afternoon I went to the council, and having sent for the Select-men, I reported to them what had passed with the Captain, and after having shown them how much it was the interest of the town to cultivate a good understanding with the commanders of the King's ships, I exhorted them to use their influence over the common people, so as to dispose them to treat the Captain, his officers and men, in such a manner as might procure his favour, at least, avert his resentment: and one of the gentlemen who accompanied me, engaged to attend

the Town-meeting, and report what had passed at this interview, as of his own accord, it being not thought proper that the Governor and Council should appear to have any correspondence with a meeting so originated and composed as this was.

June 18, 1768.

I am able now to proceed in my narrative of the Town-meeting. Yesterday in the afternoon they met, according to their adjournment. The gentleman of the Council, who had engaged to report our proceedings with Capt. Corner, did it in such a manner as gave great satisfaction both in regard to me and the Captain. But no message was voted either to me or Captain Corner; to me it was needless, but to him requisite, as they have in a manner interdicted him and his officers of the town. All they did was to instruct their representatives; the only instruction I hear of is, to enquire if any persons have been writing for the King's ships or troops to come here, and who? that they might be distinguished as enemies to their country. They broke up quietly, and there is an end of the meeting.

The Commissioners and their families, and officers, are still on board the Romney, where they proceed in their business. The town will not hear of their return to Boston; and it is much better that they should not, until the question is determined. I hear that they are to fix their residence at the castle next Monday. The Romney is fell down, and now lies off the castle towards the town; there is a sloop of war of sixteen guns just come in, which being stationed on the other side the castle, will complete the command of all the approaches to the castle; there are also other ships of war expected in, so that the retreat of the Commissioners has been very timely and very well circumstanced, and their security is
now

now effectually provided for. Your Lordship may wonder at my dwelling upon this; but if there is not a revolt, the leaders of the sons of liberty must falsify their words, and change their purposes. For my part, when I consider the defenceless state of this town, I cannot think they will be so mad as to attempt to defend it against the King's forces: but the lengths they have gone already are scarce short of madness. I send you copies of papers stuck upon the Town-house; they may be the works of a few individuals.

I am, &c.

To the right honourable
the Earl of Hillsborough.

FRA. BERNARD.

June 18. P. S. The instructions of their representatives, which passed at the Town-meeting yesterday, have this morning produced a vote in the House of Representatives to the purpose following.

Ordered, That Mr. Speaker, Mr. Otis, &c. with such as the honourable Board shall join, be a Committee to enquire into the grounds and reasons of the present apprehension of the people, that measures have been taken, or are now taking for the execution of the late Revenue Acts of Parliament, by a naval or military force: in which the Council have joined.—I will endeavour to get a copy of the instructions before I seal this.

A true copy.

Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated Boston, June 17, 1768.

My Lord,

I HAVE the honour to receive your Lordship's letters, No. 6 and 7, together with the duplicates, &c. inclosed in the cover of the first. Upon

the receipt of them, I consulted the Lieutenant-Governor and the Secretary about the best manner of executing the orders contained in No. 7, and we all agreed that it would be best to stay till the town-meetings, continued by adjournments, were over, and the people a little composed. I therefore shall not be able to communicate to the House his Majesty's requisition until Tuesday or Wednesday next, according as the House fills, there being always a thin House on Saturday and Monday.

I cannot foresee what will be done upon this occasion; whether prudence will get the better of faction, or not: I know not how to hope that they will comply; if they do not, your Lordship may depend upon it I will obey my orders. It happens very lucky, that I am at present seen in a very favourable light by the people, and that may prevent my being charged as the author or adviser of this measure, as at other times I should certainly be. I have lately caused it to be hinted, that the faction is likely to have disputes enough upon their hands without quarrelling with me; and therefore they had best reserve me for a mediator, as they will certainly want one: I believe some of them have listened to this.

However, I shall not put too great confidence in them: I shall act with all proper caution, and if I find myself obliged to dissolve the Assembly, I shall end the session by prorogation, and dissolve them by proclamation. By these means the shock will become gradual; and I shall be able to step out of the way till the wonder is over. Indeed I intended when this session was over, to take a little relaxation; as I find the multiplicity of business of late, and the attention which the importance
of

of it has obliged me to give to it, has impaired my health.

I am, with great respect, my Lord,
Your Lordship's most obedient
And most humble servant,

The right honourable FRA. BERNARD.
the Earl of Hillsborough.

A true copy.

Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated 25th and 28th June, and 1st July 1768.

My Lord,

BY my letter, No. 8, I informed your Lordship of the reasons why I deferred communicating his Majesty's requisition to the House unto Tuesday following, being the 21st instant. On that day in the forenoon, I sent a message to the House, a copy of which I inclose, together with a copy of the 2d, 3d, and 4th paragraphs of your Lordship's letter. I did not send a copy of the 5th and 6th paragraphs, because I knew that the faction would make use of them to insinuate, that the House was treated with threats and menaces in the first instance, before their minds were known, and were not allowed freedom of debate concerning what was required of them. If I had sent no extracts at all, but incorporated the substance of your Lordship's letter into my message, they then would have called for the letter itself, and not proceeded till I had given a copy of it. As it was, I steered this business in the right way.

In the afternoon, when the messages, &c. were read a second time, ——— made a speech near two hours long, of the most violent and virulent nature. He abused all persons in authority both

here and at home ; he indeed excepted the King's person, but traduced his government with all the bitterness of words. He said that the King appointed none but boys for his Ministers ; that they had no education but travelling through France, from whence they returned full of the slavish principles of that country ; that they knew nothing of business when they came into their offices, and did not stay long enough in them to acquire that little knowledge which is gained from experience ; that all business was really done by the clerks, and even they were too frequently changed to understand what they were about ; that the people in England did not know what the rights of Englishmen were ; that there was not a person in England capable of composing so elegant, so pure, and so nervous a writing as the Petition to the King which passed the last Session, &c.

I give your Lordship a specimen of this rhapsody ; and it was remarked, that in this general censure of the administration of the King's government, no exception was made of the Ministers who favoured America by the repeal of the Stamp-Act, and by other indulgencies ; by the abuse whereof, this very faction has rose to this head : all were involved in one common obloquy. I quote these sayings from the mouths of those who heard them delivered in the House, which was laid quite open, both doors and gallery, upon this occasion ; but neither they nor I can pretend to exactness of words, but the substance, I dare say, does not vary materially. In another part of his speech, he passed an encomium on Oliver Cromwell, and extolled the times preceding his advancement, and particularly the murder of the King. The result was the appointing a Committee to take the message, &c. into consideration, which Committee consisted intirely of the
most

most violent of the heads of the faction, viz. the representatives of the town of Boston, and three of those whom I had refused to admit into the Council, upon account of their having been distinguished by their fomenting the troubles of the Government, with two others: thus the House seemed to pre-judge this business in the appointment of the Committee; and, indeed, the appointment of a Committee at all, shewed a disposition rather to argue than submit.

On Thursday morning, June 23d, upon an application from the Committee, a message was sent to me, desiring copies of my instructions, II. upon this occasion, of your Lordship's letter (of which I had given an extract) and of a letter of your Lordship's, No. 6, which I had communicated to the Council, and copies of my letters to your Lordship upon the subject. The next morning (June 24) I returned an answer, with a III. copy of the 5th and 6th paragraphs of the letter, which concluded the whole. In my answer, I caution them to provide for the tax bill: I had a hint given me that they intended to omit that business, on purpose to oblige me, in case I dissolved this Assembly, by popular clamour, and real inconvenience, to call another Assembly immediately after; which I by no means think proper, nor myself to be at liberty so to do. I therefore thought proper to counter-work this intention.

June 28.

Since the former date I have been obliged to keep watch upon the proceedings of the House, having been told that the very reverse of disavowing the proceedings of the late House is preparing. They have been much elated, within these three or four days, by some letters they have received, in answer to the Circular Letter. I shall inclose printed copies of

of what have been published in the papers here. I am told that there is also a Circular Letter from the Assembly of Virginia arrived; I had it from a gentleman who said he saw it at Rhode-Island. If it is other than the letter from Virginia, now published, they keep it secret here, but I shall soon have a copy of it. I keep a look-out in the House, that if, upon the report of the Committee, they should move for another congress (as —, in his speech, said, he hoped would soon take place) or another circular letter, or any thing that contravenes his Majesty's requisition, I shall immediately put a stop to their proceedings without waiting for an answer in form. For which purpose, to bring this matter to a crisis as soon as may be, after having watched their motions all this morning, I put a message IV. in the Secretary's hands to be delivered to them this afternoon, as in the inclosed Copy.

July 1.

On the next day, June 29, the House sent V. me a message, desiring me to grant them a recess, that they might consult their constituents respecting the requisition. I knew that such an indulgence would be liable to great abuse; but if I had thought it could have produced any good effect, which I had not any reason to expect, I did not think myself at liberty to postpone the consideration of this important question. I therefore VI. returned an immediate answer, that I could not, consistently with my sense of my duty, prorogue or adjourn the Court until I had received an answer.

The next morning I went early to the Council, to watch the proceedings of the House; having been informed, that they intended to originate an invitation for another congress; in which case, the moment

moment I got intelligence of it, I intended to dissolve them. The House kept themselves locked up all the morning, the best part of which was spent in preparing a letter to your Lordship, which I am told is very lengthy; but as I have not seen it, and probably shall not be allowed a sight of it till it is printed in the news-papers, I will say no more of it than that I am told that it is in the old strain, complaining that they have been misrepresented; though the present censure arises from an act of theirs, which they have had circulated throughout his Majesty's dominions. They then put the question, "Rescind or not rescind," which was determined in the negative, 91 to 17: among the majority were many members who were scarce ever known, upon any other occasion, to vote against the government-side of a question; so greatly has infatuation and intimidation gained ground. They then settled the answer to be given to me, and appointed a Committee to deliver it. After this, a motion was made to appoint a Committee to prepare an Address to his Majesty, to desire him to remove the Governor, and appoint another *more agreeable* to the people: this was carried by a majority of 5, and with this ended the business of the morning.

I had some doubts with myself, whether I ought not to dismiss the Assembly, immediately after I knew for certain that the House had passed a vote against rescinding. But upon a little recollection, I thought it best to wait till I received their answer, as I was not obliged to take notice of this vote till it was notified to me in form. In this I was influenced by a consideration respecting myself: the House had appointed a Committee to prepare an address to get me removed: if I had dismissed them in a hasty unformal way, whilst this business was on the carpet, it would have been said that I was afraid

of

of the enquiry; whereas this is the third time the faction has moved to impeach me; the two former times they had been obliged to give it up for want of materials; and I was sure that they had acquired none since their last attempt of this kind. And this motion ended in the same manner as the two former. After having endeavoured, for two hours together in the afternoon, to cook up something to found this application on, and finding that I would not interrupt them in it, as I believe they expected and desired that I should, they were obliged

VII. to give it up themselves. Upon this, the answer which had all this while been detained, was sent up to the council-chamber, where I received it. Immediately after which, I sent up for the House and prorogued the General Court, intending to dissolve it by proclamation.

Upon this occasion, there happened a fracas in the council, sudden and unforeseen, but what probably will be improved by the faction for their own purposes. It seems, that the evening before, the Council had appointed a Committee to consider the state of the province; which Committee had prepared an address to his Majesty concerning the late duties, to be reported to the board. I had all along declared, that I should dismiss the general court immediately upon receiving the answer from the House; I knew nothing of any business being undone: not being acquainted with this, I had ordered the Secretary to prepare for the prorogation, by laying the acts which had passed that session on the table, their titles being to be read in the presence of the whole court, as has been my usage; and the acts were accordingly laid in order. Whilst I was thus waiting to receive the answer of the House, the Committee of the board introduced this address. I testified my surprize upon the occasion, and

and observed, that they could not expect to go through that business at that time. Presently after, the Committee from the House attended; they were admitted, and delivered their answer. As soon as that was done, I ordered the Secretary to call up the House: as soon as the House entered, one of the Committee of the Council expostulated with me upon my calling up the House whilst the Council was proceeding on the address, and was so indecent as to appeal to the House. I silenced him: another gentleman interposed; I stopped him also, and proceeded to the prorogation.

When the House was gone out of the Council-chamber, I expostulated with these gentlemen upon the interruption they had given me, in the presence of the House, in executing his Majesty's positive commands. I told them, that I should have thought myself blameable, if I had suffered five minutes to intervene between receiving the answer and dismissing the House; for I should have made myself answerable for all they did in the interval. This proceeding could not be justified, and was really condemned by some other of the Council, and was in some measure apologized for; but it will not be in the power of the apologizers to prevent an ill use being made of it. I then informed the Council, that I had no desire to stop any representation which they wanted to make to the King, if it was conceived in decent and respectful terms, as it seemed to me, from hearing it read; this was. I therefore would let them introduce this into the privy Council; and if it appeared to be inoffensive, I would lay it before his Majesty; though I should not agree with them in opinion as to all their assertions, as I pointed out some where I should not. But this was not enough: it seems, that when the address was past, there was a petition to the House of Lords,

and another to the House of Commons, to be brought in. I told them, I could have nothing to do with them; I could not pretend to communicate with those great bodies; my correspondence went no higher than his Majesty's ministers. After some altercation, they submitted to this, and were content with the address being brought into the Privy Council, after it had received my approbation. This compromise was very expedient to obviate the misrepresentations, which this business would otherwise be subject to.

Having carried my narrative to this length, I must suspend my reflections upon these events unto a farther opportunity. I will however here observe, that it may be suggested that I have not conducted this business with spirit; but it must be observed, to what a weakness this government is reduced, which makes the most gentle way of doing any business the most adviseable. I never intended to depart from his Majesty's orders in the least; but upon many accounts I thought it best to dissolve by proclamation; and such proclamation is already signed, and bears date the day after the prorogation. It was said, that it was well that I dismissed them by prorogation, and not by dissolution; why, I do not know: but if any triumph arises from it, it will be short lived; for the dissolution will be published in the papers at the same time with the prorogation.

I am, &c.

FRA. BERNARD.

A true copy.

Copy of a Letter from Governor Bernard, to the Earl of Hillsborough, dated Boston, June 30, 1768.

My Lord,

SINCE the first beginning of the troubles of this town to the present time, I have frequently repre-

represented to your Lordship's office, the impracticability of my applying for troops, either for the support of the authority of the Government, or the power of the Magistracy; both of which have been continually insulted and made contemptible for near three years past. The great difficulty, which has attended this measure, has been, that I could by no means get the Council to advise or concur in it; and neither by the due consideration of my instructions, and the rules of other Governments, nor by the forms of this Government, where the Governor is more connected with, and restrained by the Council, than in the Governments which are merely royal, did I think myself authorized to introduce troops into a town not used to them, upon my own opinion only, and contrary to that of the Council, who I am directed to consult and advise with in all matters of importance. And I have never imagined, that it would be expected of me, that I should separate myself from the Council upon this occasion, and make myself solely answerable for the consequences of the introducing troops here, or the not introducing them; especially, as I have always understood that, since the repeal of the Stamp-act, the intention of the Administration was, that all appearance of forcible and compulsive measures should be avoided; and as I have constantly sent home accounts of all occurrences which could influence this question, I have concluded, that a change of measures must originate at Westminster, and that the first orders for quartering troops at Boston, would come from thence.

In my letter to the Earl of Shelburne, No. 8. of this year, par. 6. I treat this subject, particularly as it relates to the Commissioners of the Customs. In my letter to your Lordship, No. 6. which gives an account of the riot on June 10th,
and

and the Commissioners leaving the town, I inform of what passed between me and the Council concerning sending for troops; from which it will appear, to what little purpose it is, to put a question upon that subject to the Council. However, this business is now brought to such a crisis, that I could no longer avoid putting such question in form: it has become necessary to my own justification, and acquitting me of the consequences, if any bad should arise of this town remaining destitute of troops, and to give an account of this transaction is the business of this letter.

On the 2d of July, I received a letter from General Gage, with two packets for Col. Dalrymple at Halifax, inclosed; informing me, that he had received an account of the tumults at Boston, and had sent an order to the commanding Officer at Halifax for troops, if they were wanted at Boston. I sent both letters away, and wrote to General Gage, setting forth the reasons why I could not apply for troops, but that I had sent the letters forward; for though I thought it improper for me to require troops, it was full as improper for me to prevent their coming if they were otherwise ordered. In answer to this, the General has sent me a copy of the letter to Col. Dalrymple, by which I am informed, that the orders to him are only to collect the troops together, but not to embark them till they are required by me. I have thereupon wrote to the General, that if the troops are not to move from Halifax till I require them, they are like to continue there. For I cannot think it proper for me to make such a requisition, without the advice of the Council, and there was no probability of my obtaining such advice; however, I would lay it before the Council. I have been less explicit on these letters, as I shall inclose copies of them.

On

On Saturday, July 23d, I held a Council, where having in part opened the matters I had for their consideration, they advised, that in regard to the importance of the business I would order all of the Council who lived within a day's journey of Boston, to be summoned to meet on the Wednesday following, and the Council to be adjourned till then. On Wednesday the 27th there were fourteen met; and we proceeded to business that day and Friday following. As the minutes of the Council are extended more than ordinarily, they will be sufficient to explain what was done. There was some altercation that was scarce worth remembering, but I am obliged to take notice that I observed with concern, that the popular spirit upon this occasion shewed itself higher in the Council than I had known it heretofore, and my endeavouring to moderate it, subjected me to treatment different from what I have been used of late to receive from that Board. But these considerations are more proper for another time and place.

I shall inform General Gage of the result of this Council, by which all expectation of troops coming to Boston until orders arrive from England is over. Perhaps if no great mischief is done in the mean time, it may be much better for them to be ordered from England, than to be brought here by the order or requisition of any one in America, as they will be introduced in a manner much more authoritative. For my part, I have acted herein for the best, according to my judgment. I could not require troops against the opinion of the Council, without making myself an object of popular resentment, which would probably, if it had produced no worse effects, have obliged me to quit the Government. Now, my Lord, as I have no leave of absence, to justify my departure, I must have stayed till I was drove out by force or apparent danger. And if

D

such

such an event had happened, how could I have justified myself in doing an act with a doubt of the regularity of it, and a foresight of it's ill consequences, which should produce such a convulsion in the State, as obliging a Governor to quit his post?

I am with great respect, my Lord,

Your Lordship's most obedient and most humble
Servant, FRA. BERNARD.

P. S. Your Lordship will observe, that in the answer of the Council there is nothing proposed or provided for the return of the Commissioners to Boston, and their protection in the execution of their office there. It seemed to be the general opinion, that it was quite impracticable for them to return, and be protected in the execution of their office. One gentleman said, that he was convinced, that they never would return to Boston and resume their functions; and gave for reason, that Great-Britain had too much employment at home, to keep her own unruly people in order, and balancing the parties which harassed the Government and weakened the Administration, to think of meddling with America, or endeavouring to enforce the execution of an Act of Parliament, which the Americans had declared against.

A true copy.

Extract of a Letter from Governor Bernard, to the Earl of Hillsborough, dated Boston, July 9, 1768.

I gave your Lordship a full account of the issue of the proceedings upon his Majesty's requisition, together with copies of all papers relating thereto. I sent the original by a returned express to General Gage, to be forwarded by the packet. The duplicates I put into the hands of Captain Smith, of the Brig —, which sailed last Monday

day for Glasgow. As there are other ships now preparing to sail, I shall inclose some printed copies of the papers from the news-papers, some of which may come to your Lordship's hands before either of my letters. From these your Lordship will see that I dismissed the General Court by prorogation, and dissolved them the next day by proclamation. This form of proceeding, though immaterial in the effect, made this business pass more easily than I expected.

The Sons of Liberty keep up their spirits still : on Tuesday evening last past, a number of them between fifty and sixty, went out of Boston at the close of the day, and having divided themselves into two parties, met on each side of an house in Roxbury, about three miles from Boston, which Mr. Robinson, one of the Commissioners of the Customs, has lately hired, with an intention, as is supposed, from the manœuvre they practised, to surprize him there, and prevent his escape. But he being at the Castle, where he has resided since the Commissioners have been driven thither for safety, they did nothing but plunder his fruit trees, and break off the branches thereof, and break down some of the fences, and trample down the garden ; and did not, that I can learn, break into the house. After this, about midnight, they went back to Boston in a body, huzzaing all the way. This is called a frolick of a few boys to eat some cherries.

Last night about thirty men came on board a schooner lying at a wharf, which had been seized for having thirty hogsheds of uncustomed molasses on board, and was then in the custody of two Custom-house Officers, and having confined the two Officers to the cabin, carried off all the molasses. When the sloop was seized, which occasioned the riot, in which the Custom-house Officers were ill-treated, and in consequence of which

the Commissioners of the Customs were obliged to leave the town ; the greatest part of the resentment was expressed, against carrying the sloop from the wharf, and putting her under the care of the man of war. This, they said, was an affront to the town, as it contained an insinuation that the sloop would not have been safe if it had been left at the wharf in the custody of a Custom-house Officer. Therefore, when this schooner was seized, it was left at the wharf under no other guard but two Custom-house Officers. It would have been very easily secured by laying it in the stream, and putting a guard on board, either from the Romney or the Castle ; but I suppose, it was thought best to try the experiment. As every seizure made, or attempted to be made, on land, at Boston, for three years past, before these two instances, has been violently rescued, or prevented ; it was easy to see what would be the event of this, and I foretold it was certain. However, the experiment has been made.

I have not received any request from the Commissioners upon this occasion, nor do I expect it : for they know I can do nothing. Your Lordship has observed in my Letters No. 5 and 6, that I consulted the Council upon the great riot on June 10th, and after having, upon repeated adjournments, endeavoured to bring them to some resolution, the whole business was avoided by referring it to the General Court. After this a Committee of both Houses was appointed under the specious title, " To take the State of the province into consideration," when after several meetings, as the two bodies had different purposes to serve, they could come to no conclusion. And so this matter rests : and I have no desire to revive it again ; as, in the present state of things, the advice of the council will

will be timid, and the executive power of the Governor is perfectly impotent.

In regard to the answer of the House, so far as it relates to me, I will make but one observation upon it: it is *Felo de se* of its own purport; it pretends to be the voice of the people, and gives evidence itself that it is the voice of a faction. It charges the Governor with misrepresenting the generality of the people, by asserting that the blameable conduct of the House is to be imputed to a faction prevailing there, and not to the people in general. Now if this is not true, all the injury the Governor has done the people, is by setting them in a more favourable light than they deserve; and therefore if the people were to take notice of it, there would be no occasion for passion or resentment. But it is otherwise with the faction: if they are charged with more than belongs to them, it is natural that they should resent it: and therefore passion, malice and abuse become them, and are suitable to their character and the occasion. From this criterion, one may safely pronounce that this answer is the violent overflowing of a faction, and not the cool voice of a people. And yet, my Lord, I do not intend to give up my opinion of the faction or the people, notwithstanding the high pitch to which the wickedness of the former has raised the inflammation and infatuation of a great part of the latter.

I have been under some concern for the safety of the Castle since the Commissioners retired thither, not upon account of any intelligence I had of an intention to attack it, (for that at most amounted but to idle rumours) as from a consideration of the weakness of the garrison, and the ease with which it might be surprized. But I am relieved in this by the care of Commodore Hood, who has so well

supplied us with naval force, that there are now about the Castle one fifty gun ship, two sloops of sixteen guns, and two cutters armed with swivel guns; so that I am under no concern for that place. Besides I have lately received by express from General Gage some dispatches for Colonel Dalrymple at Halifax, which I forwarded by one of the King's cutters, and I am mistaken if there is not among them an order for at least one regiment to come here; altho' General Gage, who knows my situation, where death is publickly denounced against those who are concerned in bringing troops here, is so kind as to conceal the contents of the dispatches from me. One regiment will secure the Castle, but will not be sufficient to awe the town. This very morning the Select men of the town ordered the magazine of arms belonging to the town to be brought out to be cleaned, when they were exposed for some hours at the Town House. They were expostulated with for this imprudent act; they excused themselves by saying, that those arms were ordered to be cleaned two months ago. I have been much pressed to go to the Castle, when troops shall arrive here. I do not choose to shew a want of resolution, as I don't feel the firmness of my mind to fail, but I shall not unnecessarily expose myself to danger where I can foresee it. A short time will determine whether Boston is to be subject to Great Britain or not, if the intention to dispute it is any thing more than talk.

I am, &c.

FRA. BERNARD.

A true copy.

Copy of the Supplement to a Letter from Governor Bernard, to the Earl of Hillsborough, dated Boston, July 9, and 11, 1768.

My Lord,

I Find myself obliged to add a supplement to my letter No. 10. which I sent away to-day, by a brig for Liverpool, the duplicate whereof will be inclosed with this. I had there informed your Lordship that thirty hogsheads of molasses which had been seized for illicit trade, together with the schooner it was in, had been taken from thence out of the custody of the Custom-house Officers who had the care of it. This very molasses was on the next day returned and put on board the schooner again. The account I have of this affair is this: the people of the town were dissatisfied, that the assurances which they had made, that the sloop which had been seized before this, and put in the custody of the man of war, would have been safe if she had been left at the wharf in the care of a Custom-house Officer, should be so soon falsified. The Select men of the town therefore sent for the master of this schooner, and upon his denying that he knew any thing of the molasses, told him that would not pass: for nobody would take away his molasses without his privity: they thereupon ordered him to return the molasses directly, under pain of the displeasure of the town; which was immediately done. I dare say, neither the Custom-house Officers, nor the Judge of the Admiralty, nor the chief Justice, nor the Governor, could have prevailed upon any one to run the risk of informing where his molasses was conveyed, or to assist in recovering it, if it had been against the humour of the people. But to serve a purpose of the people, the Select men in a summary way can do this business in a trice. So we are not without a Govern-

ment, only it is in the hands of the people of the town, and not of those deputed by the King or under his authority. I am, &c.

FRA. BERNARD.

The Letter to your Lordship is not printed in this day's paper as was expected. I inclose a letter from Maryland, which gives great pleasure to the faction.

A true copy.

Copy of a Letter from Governor Bernard, to the Earl of Hillsborough, dated Boston, July 16, 1768.

My Lord,

BY my letter, No. 9, I informed your Lordship that at the time I dismissed the Assembly, the Council was beginning to proceed upon a petition to his Majesty, which proceeding was interrupted by the prorogation of the general Court; and that to take away all pretence to charge me with intending to stop any representation which they wanted to make to the King, I gave them leave to proceed in this business in the privy Council; and if the petition was conceived in decent and respectful terms, I promised to submit the same to be laid before his Majesty, altho' I should not entirely agree with them upon the subject matter.

I have now the honour to transmit the petition inclosed to your Lordship, and desire the favour that you would be pleased to lay the same before his Majesty, for his most gracious consideration. I am not a party in it, nor could I think it proper that I should be: and therefore this address is not quite regular in point of form. But your Lordship will consider the circumstances before-mentioned, that it originated in the legislative Council, altho' it was not compleated there, and will receive it as
an

an act of that body, to which the concurrence of the Governor is not necessary.

Your Lordship will observe, that I am desired to recommend the prayer of the Petition. I have been always tender in expressing my disapprobation of acts of Parliament, and was so especially in a case where I thought the act had better have been spared. But I can readily recommend that part of the petition which prays relief against such acts as are made for the purpose of drawing a revenue from the Colonies. For they are so little able to bear the drawing money from them, that they are unable at present to pay the whole charge of their support and protection.

I am, with great respect, my Lord,

Your Lordship's most obedient and most humble
servant,

The Right Honourable FRA. BERNARD.
the Earl of Hillsborough.

A true copy.

Copy of a Letter from Governor Bernard, to the Earl of Hillsborough, dated Boston, July 18, 1768.

My Lord,

I Have now an opportunity of sending your Lordship a printed copy of the letter of the House to your Lordship: the dispute concerning publishing it having only delayed it for a week. As it is professedly intended for the people more than for your Lordship, so it is accompanied with comments much more calculated to prepare the people to resent the disallowance of their pretensions than to induce your Lordship to endeavour to procure an allowance of them.

I never saw this Letter until it was in print: I find nothing in it that requires my answer. I am abused upon a supposition of my having misrepresented

presented them in the business of the Circular Letter: I have looked over my letters upon this subject, and find nothing in them which is not admitted in the letter to your Lordship. I never said that there was a thinner House when the Circular Letter passed than when it was rejected. I said that the way was prepared for this second vote by tampering with and influencing particulars; this was as notorious as that there was a House. There was another reason for this contradictory vote, which I did not assign, that although the number of the House was the same, yet it consisted of many different persons, which as the number was less than two thirds of the whole, and there was a fortnight intervening between the two votes, may be easily conceived. The highest charge against them, the erasing the Journals of the House to serve this purpose, they admit: this surely is a very unjustifiable proceeding.

The general charge against me for misrepresenting them is false, and has not been supported by any one instance. It has been my misfortune to be Governor of this province during a time, when the most favourable representation of the proceedings of the Assemblies, and the doings of the people, must occasion his Majesty's displeasure. Before this time I scarce ever met the Assembly without receiving from them testimonials of their approbation of my conduct. For these three years past it has been impossible to reconcile the duty of the Governor with pleasing the people; and it would have been so, if a man of greater ability than I pretend to, had been in my place. Nothing less than a general sacrifice of the rights of the sovereign State can make a Governor popular in this place at this time.

I shall continue writing to your Lordship until I have communicated all I think necessary for your
 Lordship's

Lordship's information. When that will be, God knows. My ideas are become too numerous and extensive for writing, and are fitter for a conference than a series of letters. My Letter, as intended upon the subject of calling another Assembly, will be lengthy, comprehensive and important, but it does not require haste as yet. The newspapers which I inclose contain a variety of sedition and calumny, besides that which the Letter dispenses. I am, &c.

FRA. BERNARD.

A true copy.

Copy of a Letter from Governor Bernard, to the Earl of Hillsborough, dated Boston, July 18 and 19, 1768.

My Lord,

THE dangerous state which this Government is in, makes it necessary for me to acquaint your Lordship of every little disturbance which happens here, as one cannot foresee the tendency of any of the movements of the Sons of liberty, and must expect the worst consequences from each of them.

I sent your Lordship a copy of a paper stuck up in the Town House, inviting the sons of liberty upon Mr. Williams (one of the inspectors of the Customs) his return to town, to make him resign his office or quit the town. Mr. Williams returned from the circuit about the middle of last week. On Friday last an attack upon his house was planned: and to effect it, according to a preconcerted signal, they rung the fire bells, and cried out Fire; and then directed the people to Mr. Williams's house: a mob soon assembled there, and began to break into the court yard: Mr. Williams kept

kept in the house upon the defensive with fire arms, and afterwards went into the Court and there parlied with them. The mob demanded that he should meet them at Liberty Tree the next day at noon, and there resign his Commission: he refused to do either; but said he would be upon Change next day at noon, and would there be ready to give an answer to any thing that should be objected to him. By this time some of the magistrates and other gentlemen of the town had got to the place, and they persuaded the mob to accept of the offer and to disperse.

The next day Mr. Williams attended by several gentlemen, among whom were some of the Council, went about noon into the Council Chamber. There were about fifteen hundred people assembled about the Town House: Mr. Williams went into the balcony of the Council Chamber, and told the people he was come, according to his promise, to answer any objections which were urged against him. Nothing was offered; after a quarter of an hour's interval, he repeated his proposal again; nothing was said except by an ignorant fellow, whose absurdity created laughter. After a little stay, they all departed in seeming good humour, and Mr. Williams returned to his house, accompanied by the gentlemen who had attended him, in peace and quiet.

This transaction has flung great disgrace upon, and given great chagrin to the faction; and I am told they are determined to retrieve it.

The truth is, the directors of the mob durst not shew their faces at this place, and upon this occasion, lest they should thereby acknowledge that they had spirited them up to the last night's work. They now gloss it over by giving out that the mob of that night were not the true Sons of liberty, and acted

acted without authority; and an advertisement is published in the Boston Gazette, signed by a pretended Secretary of the Sons of liberty, disclaiming the requiring Mr. Williams to appear upon Change, and threatening the printer who should make use of the name of the Sons of liberty, *without an authentic order*. Something is to be done and soon to recover the spirit of the Sons of liberty. I am told that some of the chiefs of them are this day to go to Mr. Williams, and advise him as a friend, if he will not resign his Commission, to retire to the Castle; if he does not, his house will be destroyed, and himself killed. What will be the end of this we must wait to know.

July 19th.

Since I wrote the foregoing, I have seen Mr. Williams. He confirms this account, and adds, that the mob expressed great dissatisfaction that those who set them on did not appear to talk for them. Several of the mob, and particularly the Captain, a noted mob leader, have declared their approbation of Mr. Williams's conduct, and that they will defend him against any other attack. On the other hand, great pains are taken to drive him out by intimidation: private letters have been sent to him, without a name; and one of the chiefs of the faction declared publicly against his foolhardiness in staying in this town. But Mr. Williams declares he will not go out of the town, unless he is drove out by force. He tells me he fears no danger: and I am inclined to think he will succeed in his defiance of the faction and their tools. If he does, he may do good service in lessening the terror which the troops of the faction have occasioned here. I am, &c.

FRA. BERNARD.

Inclosed is a paper stuck up on Saturday morning.

P. S.

P. S. Observing that there was no account in any of the news papers, of the riot on Friday night, or the meeting at the Town House on Saturday, I asked the reason of it, and was told that the sons of liberty had forbid all the printers publishing any thing of it. If *the King's Government* should assume such a power, what would they say?

A true copy.

Copy of a letter from Governor Bernard to the Earl of Hillsborough, dated Boston, August 6, 1768.

My Lord,

YOUR Lordship will observe from my Letter No. 9, and its inclosures, that I signified to the House, that if I should be obliged to dissolve the Assembly, I should not think myself at liberty to call another until I received his Majesty's orders. Therefore I was asked in Council, whether I had received a special order for that purpose, or whether I drew it by implication from any part of your Lordship's letter. I answered that I drew it from two passages in your Lordship's letter: First, I am ordered if I dissolve the Assembly to send an account of their proceedings, that his Majesty may lay the same before his Parliament, to prevent such conduct for the future. Now if I was to call another Assembly without order, it might not be in the power of the King, or the Parliament, to prevent such conduct for the future; for it would probably be repeated before any provision could be made against it. Secondly, Your Lordship signifies to me that if the dissolution should operate to the discontinuance of any necessary establishments, care will be taken for the support of Government.—By this it is plain, that your Lordship does not expect that I should call a new Assembly; for in such case your Lordship would have directed me to call upon the
new

new Assembly to renew the discontinued establishments.

But if your Lordship's intention had not appeared so plain, my own discretion would have directed me, not to have called another Assembly soon after the dissolution of the former.—Such a proceeding has scarce ever failed to produce bad consequences; in the present case it would have the worst. The chief alteration in the House would be in the exclusion of those few members, or a great part of them who, in the late question, dared to side with the King, and have since been held up in the public papers, as objects of the resentment of the people. It were to be wished, that a new Assembly might not be called until the people had got into a better temper, and had gained truer notions of their rights and interest, than they have at present: when that time will come, God knows; it will depend more upon what is done at Westminster, than upon any measures that can be pursued here. I can therefore only state to your Lordship, the inconveniences which will attend the not calling the Assembly, until the next general election, and wait your Lordship's orders.

The usual time for the Assembly's meeting for the Winter Session, has of late been about the middle of January.—The Session has usually lasted about two months; great part of which has been lately spent in political squabbles, rather than in real business. The ordinary business of this Session has been to elect Officers, viz. Treasurer, Commissary, and Impost Officer, and some lesser of no great significance, to grant salaries to the Judges, and other Officers, and to the President and Professors of the College, &c. and to pass the Act of Tonnage and Impost. The election of Officers may be postponed; for in such case, they would continue
in

in their offices by their former appointment; and the election is nothing more but the continuance of the same officers. The grants of salaries may be postponed, without any other inconvenience than a delay of payment for about three months. The not renewing the Impost Bill, would I believe discontinue that revenue for about two months, but I can't be certain of it, as I have not the Bill by me. These are the principal ordinary inconveniencies which would arise from the not calling another Assembly before next May. They must be balanced by the advantages proposed by the suspension; and the whole will be governed by the measures which are taken for the restoration of the Government. And I must beg your Lordship's favour, that I may receive orders, whether I am, or am not, to call the Assembly: for when the usual time shall come, it will be quite necessary, that the Governor should be able to vouch positive orders for his not calling the Assembly, if he is not to do it.—In regard to the calling the new Assembly in May, it will require much consideration; but there is time enough for that as yet.

There is another matter for consideration in calling a new Assembly, which I cannot overlook, because it is a common subject of reflection; and yet I must own I dare not give my advice in it with that freedom, with which I could wish to act in all publick business. It is, whether, when a new Assembly is called, it ought to meet at Boston, or at some other town. People imagine, that the principal part, which Boston (distinguished from other towns) has taken in raising and fomenting the present troubles of the province and the continent, will probably incur, and deserve the censure of having the Government removed from it; others say, that, if Boston is subjected, and brought into order, the
incon-

inconveniences which the Government now feels, by being seated there, would be removed. For my own part, I could speak upon this subject, where I could explain myself occasionally, but I know not how to write upon it; all that I can now say is, that, if the prevailing faction should be effectually checked, and the terror of the mobs removed, it might be better to keep the Government here; but undoubtedly, for these three years last, Government has suffered very much by its being seated here. There are no two towns on the continent more contrasted, in regard to respect, and duty to the King's Government both at home and here, than Boston and (the second town in the province) Salem.—And yet I could not recommend the removing the Government to Salem, otherwise than as a temporary censure; but this is a subject too delicate for public letters.

Having gone thus far, I find a great deficiency from the want of a proper representation of the present state of this Government, which is brought so low, that it can never recover itself by any internal means, without a sacrifice of the rights of the imperial power: This is a nice task, and I wish I could do it in person; if I cannot, I shall have much difficulty to represent it in writing, and will overcome it as well as I can.

I am, with great respect, my Lord,
Your Lordship's most obedient, and most humble
Servant, FRA. BERNARD,

The right honourable
the Earl of Hillsborough.

A true copy.

Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated Boston, 9th August, 1768.

My Lord,

I Think it proper to inform your Lordship, that for above a week past there has been agitated among the merchants of this town a subscription against importing English goods.—It was begun by two principal merchants who have all along abetted the purposes of the faction. At first they met with very little success, but persevering in it, and ways and means being used to push it on, it was last night reported at their third meeting, that there was a sufficient number of subscribers to carry the matter into execution; that there were forty who would not subscribe, but would observe the restriction, and thirty-five who would neither subscribe nor observe. The latter I suppose are to be brought to reason by mob-law, otherwise thirty-five importers only, will defeat the scheme.

There was the like subscription set about at the beginning of March last, of which I gave an account in my letter to my Lord Shelburne, No. 9. That was defeated by the merchants of Philadelphia refusing to concur in the measure, and the merchants of New-York thereupon declining it also, upon which those of Boston were obliged to give it up. But now I suppose they assure themselves of better success at those places, and expect to raise a combination formidable enough to alarm Great Britain, at the meeting of the Parliament. But, my Lord, the futility of this threat will be exposed by an enquiry into the quantity of goods which have been lately ordered from Great-Britain, which has exceeded and anticipated the usual quantities and times in order to provide for an abstinence from importation for a year: this is professed by some, and is undoubtedly true of others, who are too attentive

tentive to their own interest to desist from importation without taking care not to have occasion for it. But the non-subscribers, among which are some of the principal importers of the town, will effectually defeat this scheme, if they are sufficiently secured from mobs, which it is supposed they and all others will be before the first of January next.

I am with great respect, my Lord,

Your Lordship's most obedient and most humble
Servant, FRA. BERNARD.

To the right honourable
the Earl of Hillsborough.

See my letter No. 9, before-mentioned, Par. last but one.

A true copy.

Extract of a Letter from Governor Bernard to the Earl of Hillsborough, dated Boston, August 29, 1768.

I Inclose the printed account of the celebration of the 14th of August, being the day of hanging the Stamp-Officer in effigy, and destroying his house in reality. This is the third anniversary celebration of this day; at the head of the procession were two principal merchants who have all along abetted the parades of the Sons of liberty. In the procession, as I have been informed by several persons, was one Moore, who was a principal hand in pulling down the Lieutenant-Governor's house, was committed to gaol for it, and rescued from thence by a number of people in the night. This man is now at liberty to celebrate those exploits, by which he legally incurred the penalty of death.

A true copy.

Extract of a letter from Governor Bernard to the Earl of Hillsborough, dated September 9th, 1768.

My Lord,

THE July mail arrived here last Saturday, Sept. 3. which brought me the duplicate of your Lordship's letter No. 10, and the original of No. 11, 12, 13, 14 and 15. The June mail which to-morrow will have left London thirteen weeks, is not yet come here; by it I expect to receive the original of No. 10.

Your Lordship's observation of the intention of the faction, to defeat all conciliating measures, will be fully confirmed, if it is not already. Their influence over the Courts of Justice, especially at Boston, is carried to an enormous length, of which there has been lately a most extraordinary instance. On Monday August 22d, being the day before the sitting of the superior Court, there came out in the Boston Gazette a most virulent libel against the Chief Justice, in which he was threatned, that if he gave any more such charges as at the former Session, his private life and conversation should be exposed in that paper, by which he is to be rendered odious to the people. The next day when the Court was opened, the Grand Jury was found to have among them several of the abettors of the Boston mobs, and particularly the famous Capt. Malcolm, who having twice in a forcible manner set the laws of trade at defiance with success, has thereby raised himself to be a Mob Captain; and was actually the raiser of the mob which abused the Custom-House Officers on the 10th of June last. This man was thought a fit person to be upon the Grand Jury, before whom his own riots were to be inquired into. To account for this your Lordship must know that in this Government, Juries, both Grand and Petty, are not returned by and at the election of the Sheriff,

but by the appointment of the several towns, and returned by the Constables.

This being the case, it was to no purpose for the Chief Justice to enter into particulars concerning the late riots: He therefore made his charge general, except only vindicating himself from an infamous lie published in the Boston Gazette, asserting that he had received a commission from England appointing him Chief Justice. The Attorney General had been ordered by me with the advice of Council to prosecute the rioters on the 10th of June. But when he came to lay it before the Grand Jury, no evidence could be procured against any one man. There had been two or three hundred people who paraded and did great part of the mischief in the public streets in the day time; and yet no man could be found who dared to charge any of them. And it is no wonder whilst the head of the mob sat upon the Grand Jury ready to mark those who should testify against his mob. And I suppose the Attorney General was not very earnest in endeavouring to procure evidence; as he must see, that before such a Grand Jury there was no probability of getting a Bill found.

I am sorry, my Lord, that I cannot continue to give the Council that credit, which I have done in former letters. Immediately after the vote in the House for not rescinding, &c. the Council suffered so great a change that they don't appear to be the same persons. And I can no longer depend upon them, for that assistance, which I have been used to expect and often to receive of them, in support of the rights of the Crown. They seem to have caught the general intimidation, to look upon the cause of the present Government to be desperate, and to think that it is high time that they should take care of their interests with the prevailing party of the people. And yet I am convinced that these gentle-

men, or the greatest part of them, are in their hearts friends to Government, and would choose to be numbered among them, if they were independent of the people. But it is a *melancholick* truth, that this Government after a three years war is *a* length subdued, and in my opinion will never recover itself, until some amendment is made in the Constitution, especially in the appointment and stability of the Council. I shall not produce instances in support of these assertions now, they will be fully explained hereafter.

A true copy.

Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated Boston, September 16, 1768.

My Lord,

IN the Boston Gazette of the 5th instant, appeared a paper, containing a system of politicks, exceeding all former exceedings. Some took it for the casual raisings of an occasional enthusiast. But I persuaded myself it came out of the Cabinet of the faction, and was preparatory to some actual operations against the Government. In this persuasion, I considered that if the troops from Halifax were to come here of a sudden, there would be no avoiding an insurrection, which would at least fall upon the Crown Officers, if it did not amount to an opposition to the troops. I therefore thought it would be best that the expectation of the troops should be gradually communicated, that the heads of the faction might have time to consider well what they were about, and prudent men opportunity to interpose their advice. I therefore took an occasion to mention to one of the Council, in the way of discourse, that I had private advice that troops were ordered hither, but I had no public orders about it myself. This was on the eighth instant, and before
night

night it was thoroughly circulated all over the town.

The faction immediately took the alarm : and at first nothing was to be heard among them but declarations that the troops should not enter the town. But nothing was done in public, but appointing a Town-meeting on Monday following. In private there were, as I am told, two meetings, the one a large one on Friday night, the 9th, where it was the general opinion that they should raise the country, and oppose the troops. The other meeting, as I am informed, was very small and private on Saturday night at the house of one of the chiefs, and there it was resolved to surprize and take the Castle on the Monday night following. I don't relate these accounts as certain facts, but only as reported and believed. On Saturday night an empty turpentine barrel was put up upon the poll of the beacon (which had been lately erected anew in a great hurry by the Select-men without consulting me). This gave a great alarm the next day, and the Council sent to me on Sunday afternoon to desire I would order a Council, which I held at a gentleman's house half way between me and Boston. Here it was debated what means should be used to take the barrel down ; and it was resolved that the Select-men should be desired to take it down, but they would not do it.

On the Monday at the Hall the faction appeared surrounded with all its forces. There were very few of the principal Gentlemen there ; such as were, appeared only as curious, and perhaps anxious spectators ; the meeting was opened with speeches much to the same purpose as the paper enclosed and first mentioned. Nothing was then resolved but to put two questions to me, which your Lordship will see in the printed account ; and to appoint

a general Committee^r to consider and report. The next day the reports were made, upon which followed a set of speeches by the chiefs of the faction, and no one else; which followed one another in such order and method, that it appeared as if they were acting a play, every thing both as to matter and order, seeming to have been preconcerted beforehand. As they have printed their own account to circulate it round the province, I shall only add to it, an account of some of these speeches, from the tenor of which, the general intention of the whole transaction will be fully explained.

I should have mentioned before, that in the middle of the hall where they met, were deposited in chests, the town-arms, amounting, as it is said, to about 400. These, as I have before informed your Lordship, about four or five months ago, were taken out of the lumber-rooms, where they had lain for some years past, to be cleaned; and have since been laid upon the floor of the Town-hall, to remind the people of the use of them. These arms were often the subject of discourse, and were of singular use to the orators in the way of action. As the subject of their debates turned upon arming the town and country against *their enemies*, the probability of a French war was mentioned as a pretence for arming the town, and a cover for the frequent use of the word *enemy*. It was said that the *enemy* would probably be here before the convention met, that is within ten days; it was moved that the arms should be now delivered out to oppose the *enemy*; this was objected to, for that they might fall into hands, who would not use them. But this flimsy veil was not always kept on; it was often said, that they had a right to oppose with arms a military force, which was sent to oblige them to submit to unconstitutional Laws, and when it was required to
be

be more explicit, the Chairman said, that they understood one another very well, and pointing with his hand, added, There are the arms ; when an attempt is made against your liberties, they will be delivered ; our declaration wants no explication ! and indeed it does not.

When first it was moved that the Governor be desired to call an Assembly, it was said to be to provide for the safety of the province, and put it in a posture of defence : it was thereupon observed, that that would make troops necessary, and it was immediately struck out. One cried out that they wanted a head ; this was over-ruled, for indeed it was too premature. Another, an old man, protested against every thing but rising immediately, and taking all power into their own hands. One man, very profligate and abandoned, argued for massacring their enemies ; his argument was short—Liberty is as precious as life ; if a man attempts to take my life, I have a right to take his. Ergo, If a man attempts to take away my liberty, I have a right to take his life. He also argued that when a people's liberties were threatned, they were in a state of war, and had a right to defend themselves. And he carried these arguments so far, that his own party were obliged to silence him.

I will now make one observation on one passage in the printed declaration, to shew to what length is capable of being carried, a pretension to an exemption from the authority of Great-Britain. It has been heretofore argued that the Parliament has no authority over the American Colonists, because they are not represented in the Parliament of Great Britain ; and in consequence that the provincial Assemblies are to all intents and purposes the Parliament in regard to the subjects of the respective colonies. This has been heretofore applied only to the

the raising and disposing of public money : and now observe a large stride to a very different business, because it is declared in an Act of the first of William and Mary, that no standing army shall be kept up in the kingdom in time of peace, but by consent of Parliament ; therefore, the King shall not keep any part of the standing army raised and supported by the Parliament in any American province, without the consent of the provincial Assembly. And this exemption is pleaded in virtue of a charter granted by King William, &c. without the authority of Parliament, and consequently, according to true revolutionary principles, not to be pleaded against the Parliament, as according to such principles the King has no power by his own Act only, to exempt any subjects of Great Britain from the authority of Parliament.

I herewith inclose a blank copy of the precept which the Selectmen of Boston have used in calling together the Convention : surely so daring an assumption of the Royal Authority was never practised by any city or town in the British dominions, even in the times of greatest disorder ; not even by the city of London, when the great rebellion was at the highest, and the confusion arising from thence most urgent for some extraordinary measures. How large this meeting will be, and what they will do, at present can only be guessed at. But as they have hitherto pursued the dictates of the paper in the Boston Gazette, it may be supposed, that they will go through with them, and exclude *the Crown Officers*, and resume *the first original Charter*, which has no ingredient of royalty in it. It certainly will be so, if it is not prevented by power from without ; and I much doubt whether the force already ordered by General Gage, viz. two regiments, will be sufficient. For my own part, if I had any place

of protection to resort to, I would publish a proclamation against the assembling the Convention. But I dare not take so spirited a step without first securing my retreat.

It is now a great question whether the King's troops will be suffered to enter the town or not: the general opinion is in the affirmative. The design against the Castle is now so well known, that it is probable that the very names of the people who were enrolled for that service to the number of 500, or of the chief of them, will be discovered. The chiefs of the party now own that it will be impossible for them to hold the Castle or the Town, tho' they should seize and garrison them for the present. They therefore, at least some of them, seem content that the troops shall stay here, till the Parliament has determined upon their remonstrances; as they say the troops cannot remain here for two years, if the Parliament refuses to do them justice.

I am, &c.

FRA. BERNARD.

A true copy.

Copy of a letter from Governor Bernard to the Earl of Hillsborough, dated Boston, Sept. 23, 1768.

My Lord,

UPON the receipt of your Lordship's letter, No. 16, I ordered a Council to be called on the morning of Monday last; at which time I communicated the two first paragraphs of your Lordship's letter, and also a Letter from General Gage to me, wherein he writes, that, in obedience to his Majesty's commands, he had ordered two regiments from Halifax to Boston, the one to be quartered at Boston, the other at Castle William, and desiring that quarters might be provided for them.—

The

The Council instantly resorted to the act of Parliament, and there it was read, that if there were no barracks, the troops should be quartered in the public houses, and if they were not sufficient, then the Governor and Council, or in their default, the Justices of the Peace should hire barns, out-houses, &c. for them. They therefore said, that as there were no barracks, they had nothing to do with it; for it was the business of the constables to billet them in the public houses, and the Council had nothing to do till the public houses were full. I answered, that they must be sensible, that this act of parliament (which seemed to be made only with a view to marching troops) could not be carried into execution in this case; for if these troops were to be quartered in public houses, and thereby mixt with the people, their intercourse would be a perpetual source of affrays and bloodsheds; and I was sure, that no commanding officer would consent to having his troops separated into small parties in a town, where there was so public and professed a disaffection to his Majesty's British government; and as to hiring barns, out-houses, &c. it was mere trifling to apply that clause to winter quarters in this country, where the men could not live but in buildings with tight walls and plenty of fire places; therefore the only thing to be done was to provide barracks; and to say, that there were none, was only true, that there was no building built for that purpose; but there were many public buildings that might be fitted up for that purpose with no great inconvenience. At last, what I said, produced a Committee of Council, to confer with the Selectmen about providing quarters for the troops; and the Council was adjourned.

I had no opinion of this reference, but could not avoid consenting to it.—I considered that the
Selectmen

Selectmen were the tools of the faction, and the design of the latter was to embarrass the business of providing quarters, so as to oblige the officers to make good their own quarters, and from thence, to ground an insurrection of the people against the invaders of their property.—I was told two or three days before this Council met, that —— explained the plan at the Town-meeting, (or at some other meeting about the same time, I forget which) in the following manner. “ There are no barracks in the town, and therefore by Act of Parliament they must be quartered in the public houses ; but no one will keep a public house on such terms, and there will be no public houses ; then the Governor and Council must hire barns, out-houses, &c. for them ; but no-body is obliged to let them, no-body will let them, no-body will dare to let them. The troops are forbid to quarter themselves in any other manner than according to the Act of Parliament, under severe penalties ; but they can’t quarter themselves according to the act, and therefore they must leave the town, or seize on quarters contrary to the act. When they do this, when they invade property, contrary to an act of Parliament, we may resist them with the law on our side.”—— So here is a system to make an act impracticable, and then to oppose the King’s troops for not observing it ! Indeed the act is impracticable enough without all this contrivance ; but what is most surprizing, is, that so many persons of consideration and property should join in supporting a scheme, which, if it is carried into its full execution, must involve this town into universal desolation and ruin, in order to save a few desperate and wicked men from being made answerable for their crimes ; and yet your Lordship will find the fore-mentioned system of reasoning adopted by men,
from

from whom one could not expect to have heard it seriously mentioned.

At the next Council, which was yesterday, the Committee reported, that the Selectmen had given for answer, that there was an Act of Parliament for the quartering the troops, and they had nothing to do with it; but give it for their opinion, that it would be most for the peace of the town, that the two regiments expected from Halifax should be quartered at the Castle. That in regard to the troops expected from Ireland, it was time enough to think of them, as it would be a long time before they would arrive, and, most probably, they would not come before winter; for Mr. Hancock, one of the Selectmen, had told them, that he had advice from London, that the troops ordered from Ireland would not sail till after the Parliament met: and —, the gentleman who reported, said, that if they were to sail this fall, it would be so late, that probably they would not get in these seas till winter was set in, and then they would be drove off the coast.—In this manner was your Lordship's positive notice of the ordering these troops to embark immediately, and his Majesty's orders thereupon, treated.

After the report was made, followed several speeches, all tending to give reasons why they could not provide barracks for the reception of the troops.—It was strongly urged, that the Act of Parliament directed how to quarter the troops, and they could not depart from it.—I reminded them, that at the last Council it was generally agreed, that it would never do to quarter the troops in public houses; for it would produce the utmost disorder throughout the town; and they must be sensible, that the troops could not live, in the winter of this country, in barns, out-houses, &c.—That I did not want them

them to act against the Act of Parliament, but to carry into execution the first part of it, which recommended the troops being put into barracks, as the most preferable disposition, and thereby avoid resorting to the latter parts of it, which had been admitted by them to be impracticable. They answered, that if they were to follow the Act of Parliament, the barracks at the Castle, which were in the town of Boston, must be filled before they could demand other quarters.—That the barracks at the Castle would hold the whole of the two regiments from Halifax.—I observed, that they confounded the words Town and Township; that the Castle was, indeed, in the township of Boston, but was so far from being in the town, that it was distant from it by water three miles, and by land seven. Besides, in the General's orders, there was an express distinction between the Town and the Castle, one regiment being to be quartered in the Town, and the other at the Castle—That it could not thereby be intended that both should be quartered at the Castle. And in your Lordship's orders, that the two regiments from Ireland should be landed at Boston, it could not be conceived, that your Lordship imagined, that the Castle, which was known to stand upon an island some miles distant from Boston, was in Boston; and that, in executing those orders, it would be sufficient to land those regiments at the Castle. But it was insisted, that Town and Township was the same, and that the Castle was in the Town of Boston; and that, as the act had directed the barracks to be first used, neither the General's letter nor your Lordship's could alter the law. And one gentleman added, that if there had been other barracks in the province, though at fifty miles distance, they must be filled before any quarters could be demanded at Boston. I told them, that
this

this fallacious way of reasoning, however it might flatter them, would not pass elsewhere; and particularly, they never would be able to persuade the commanding officers, who are ordered to land their troops at Boston, to land them at the Castle; and therefore, as the officers would certainly bring their troops into the town, if no barracks were provided for them, they would, in their own defence, be obliged to take possession of some of the public buildings, and make barracks for themselves. I was then told by one gentleman, as it was supposed that the troops would be under my command, if they should come into town, and take quarters contrary to law, I should be charged as the author of it. I replied, that whatever power I might have over the troops, I certainly should not have that of requiring them to disobey their orders. On the other hand, I desired them to consider what they would have to answer for, if, by refusing to concur with me in providing barracks for the troops, they should oblige them to provide their own quarters, and thereby afford a pretence for the enemies of the public peace to draw the people into an opposition to the King's troops, which they had in vain attempted to bring about previous to their landing. I then gave them the account of the declaration of ——— upon this subject, as mentioned in pages 3 and 4 of this letter: and I might have added, that it was long ago since I first heard that it was the intention of the faction to embarrass the business of quartering the troops, and thereby set them and the people together by the ears. In the course of this dispute it was frequently urged on the side of the Council, that they had no power to draw money out of the treasury for building or fitting up barracks. This argument was always ready at hand, when any plan was proposed for the purpose. As
I saw

I saw we were like to rise without doing any thing, I was reduced to make a proposal, as my ultimate effort. I observed, that Colonel Dalrymple, with the two regiments from Halifax, were expected every day: that the barracks at the Castle, although they had held 1000 men for a short time in the summer, yet they would not hold much more than a regiment with convenience; and Colonel Dalrymple certainly would not consent to take less than a regiment to Boston; therefore accommodations for one regiment ought immediately to be provided.—That there was the Manufactory-house (a brick building belonging to the province) now wholly unappropriated, and inhabited only by self-settlers, who are ready to go out at a day's warning—This building, with a small addition to it for officers, would hold a regiment. I therefore desired, that they would authorize me to fit up this building, with the addition; and I would assure them, that, if the Assembly should refuse to allow this expence, I would engage to recommend it to the King's Ministers, so that it should be paid by the Crown, and they should be indemnified from it. When this was done, we should have time to consider of providing for the two regiments from Ireland. If they refused this, I did not see how they could clear themselves from being charged with a design to embarrass the quartering the King's troops, nor of the consequences which might follow the obliging the troops to make good their own quarters. I spoke this so forcibly, that some of them were staggered, and desired further time to consider of it; I therefore adjourned the Council to this day, and since, on account of the weather, to to-morrow. I have since spoke with several of them, and they all tell me, that I shall never get a vote for providing barracks for the troops at Boston.—One of them pleasantly
F said,

said, " What can you expect from a Council, who are more afraid of the People than they are of the King."

September 24. The bad weather continuing, I am obliged to postpone the Council to another day, as several of them come out of the country, and would not attend on this day; and, as there are two ships ready to sail as soon as this storm is over, I shall probably send away this letter and its duplicate, before I can bring this business to a conclusion. I am sorry I am obliged to give your Lordship a detail so disagreeable to the body which is the subject of it; but it is necessary, as well to my vindication as to give your Lordship a true idea of the present state of this government: I shall pursue this narrative 'till I have finished it. In what I shall have to write upon other parts of your Lordship's letter, I shall have frequent occasion to observe, how impossible it will be for me to execute his Majesty's commands, according to his expectation, until I have a Council more dependent upon the King than the present is. I am, with great respect, my Lord, your Lordship's

Most obedient and most humble servant,

To the Right Honourable
the Earl of Hillsborough.

FRA. BERNARD.

P. S. Sept. 24. After I had finished this letter I received a message from the Council, to inform me, they were ready to give an answer to my proposal made at the last Council. I accordingly met them, and received the answer; in which they positively refuse to do any thing for providing for the troops expected from Halifax, except fitting up the barracks at the Castle; and for the troops expected from Ireland, they absolutely refuse to make any provision, but shall leave them to be billeted according to act of Parliament; which they know to be impracticable under the present circumstances of
the

the town. I am sorry to see this spirit got so high in the government. It can end in nothing else but obliging the troops to provide their own quarters. I cannot act in this myself: all that there is left for me to do, is to give up the Manufactory-house for the use of the troops. This I will do without the Council, though I foresee it will create a clamour. They have taken back their answer to correct some mistakes: I shall receive it to-morrow, and will send your Lordship a copy, with my observations upon it. I am, with great respect, my Lord, your Lordship's

Most obedient and most humble servant,
FRA. BERNARD.

A true copy.

Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated Boston, September 26th, 1768.

My Lord,

I Now send your Lordship a copy of the Council's answer to me concerning providing barracks for the troops, and what is extraordinary in print; which shall be explained in order. In the postscript of my last, I informed your Lordship that the Council sent to me on Saturday, to desire that I would meet them to receive their answer to my proposal of fitting up the Manufactory-house. At that time there was a violent storm of wind and rain, and I was at my country house at Roxbury, five miles from Boston. I thought, by their being in such an hurry, that they intended to do something; and, as there was no time to be lost, I determined not to regard the weather, but set out immediately for Boston: and I therefore was surprized to find that I was sent for in such a storm merely to receive a refusal; for I was not in the secret then, and did not know that at this hurry,

and drawing me through the worst weather I almost ever travelled in, was to get their writings through, so that they might put it in the public papers on Monday.

I mentioned to your Lordship, that they had taken back their answer to correct some mistakes; these mistakes were mentioning sayings of mine which I never said, and couching insinuations which I did not observe. Upon my explaining these passages, it was said that nothing was intended against me, and that they would alter the passages to my satisfaction; and they offered to do it directly. I told them that I had rather that they should take it back and reconsider the whole; for it seemed to me that it wanted alteration, upon their account as well as mine. It was objected, that it would cause the unnecessary trouble of calling another Council: I answered, that as there was nothing to be advised or ordered, I would consent that they should deliver the paper, when corrected, to the Secretary, without calling a Council in form.

They met early next Monday morning in the Council-chamber, when they made some little alterations to remove what I had excepted to, which however was not done fully. After which it was moved, (neither myself nor the Secretary being present) that this answer should be printed in one of the papers of that day. This was opposed, and occasioned some little debate, when the question was put, and determined in the affirmative seven to three; among the seven was one gentleman who rather acquiesced than approved; the other six being firm in this system. In the course of this debate, and also in the first bringing in this paper, one gentleman argued against it, and protested against some parts of it; another took him aside and said, You had better not distinguish yourself in
this

this opposition ; the Council are determined not to alter a word in this paper, they are resolved to adhere to the people ; the same last-mentioned gentleman, in arguing for the printing, said, I have no immediate communication with them (meaning the Sons of Liberty) but I know pretty well what is going on by my intimately conversing with many of the middling people. I say it again and again, and would have it well understood, that if we do not print this answer to the Governor this day, there will soon be no government.

Accordingly, they immediately sent for one of the printers of the Government Gazette, and ordered him to stop his press, and gave the only copy of the answer to him, to set the press by, immediately after it was finished. I came into the Council-chamber a little after eleven, and there I found one of the Council with the printer correcting the press, after which, and not before, the paper was delivered to me. I told the gentleman, that I would immediately represent this to his Majesty, as the highest insult that ever was put upon a King's Governor. He answered, that there was no intention of affronting me. I replied, that most probably there was not personally, for I had never deserved to be ill used by them ; but there was a great affront put upon the King in his Representative, and it was my business to resent that.

To shew the high nature of this usurpation, I must observe, that the Council (except in their legislative capacity) have no activity of their own without the Governor ; they are by charter appointed to advise and assist the Governor, and therefore they cannot meet without the Governor, nor can act in any business but what he proposes. Indeed, it has been usual to appoint Committees to prepare papers for the Council, but then such papers are reported to the Go-

vernor in Council, and have no validity until they are confirmed there. But for a Council to meet without the Governor, to appoint a Committee, to meet again and receive the report of the Committee, to admit a motion for printing their proceedings, and put the question upon it, and to order the proceedings to be printed without the Governor's consent or knowledge, and even before it was reported to him, is altogether a transaction never known or imagined before, and wholly illegal and unconstitutional: there is but one way to make it regular, and that is, to consider the Council as meeting in their legislative capacity; this indeed will make all right, and they will form an upper House to the Assembly of Representatives now sitting in convention, and then there will be nothing wanting to render it a complete General Court, but the authority and representative of the King; if all this coming together does not operate so as to produce an amendment (at least) of the charter, wise and good men who want to see the authority of the King's government restored, or rather rebuilt upon a more firm foundation, will be disappointed. There is but one rational way of accounting for these proceedings of the Council, so contrary to their conduct about seven months ago, and this is, that they are desirous to lend an hand to the Convention, to bring about a forfeiture of the charter; which, considering how they have heretofore been treated by their constituents, they may well be supposed to desire.

As to the answer, I have little to say about it, having fully explained the system it is founded upon, in my letter immediately preceeding. If it wants any thing more, I will add a paragraph which one of the Council proposed to be inserted in their answer to me, but it was rejected: this paper has by chance fell into my hands, in the hand-writing
of

of the Propofer; and I will inclose a copy of it. It fully shews, that there is an intention of opposing the troops by embarrassing their quarters, and attaching them afterwards, by means of such embarrassment; to justify which, a formal system of law is already prepared. As to what the Council have desired for the printing a formal answer to me, which I sent a copy of to your Lordship, with my letter, No. , your Lordship must understand, that since the Council (I mean the majority of them in and about the town of Boston) have gone over to the popular party, (the day of which revolt is precisely fixed) they have been very fond, in imitation of the faction of the House, to do business by writings calculated for the press; the paper referred to, was plainly written for that purpose, but I prevented its being published hitherto, and shall, notwithstanding this public call, added to many private. In regard to the present publication, upon the first opening this business, I charged their proceedings with secrecy; and the only pretence to evade this charge is, that I did not renew that charge at every adjournment, though the same business was continued.

And now, my Lord, I consider the government as entirely subdued; the outworks have been taken by degrees; the citadel, the council, however remained to the King, until within these three months, now that is surrendered, and the garrison has joined the enemy; to speak plain, now the Council cooperate with the opponents of government, and they whose business it is to advise and assist me, do all they can to embarrass me; they who ought to join with me in executing the King's commands, are at the head of those who oppose them: what can I do, circumstanced as this government at present is? *Ipse salus non potest servare hanc rempublicam.* If the three regiments ordered to Boston,

were now quietly in their quarters (which I don't see how they are like to be, by the means of the civil power only) it would not follow that the civil Government could resume its functions. It will take some time to recover that intimidation and lachetè which has prevaded all orders of men. I shall write more particularly upon this subject when I write in answer to the other parts of your Lordship's Letter which the present emergencies prevent.

I am with great respect, my Lord,
Your Lordship's most obedient and most humble
Servant, FRA. BERNARD.
The right honourable
the Earl of Hillsborough.

A true copy.

Copy of a letter from Governor Bernard to the Earl of Hillsborough, dated Boston, September 27th, 1768.

My Lord,

IN my letter No. 22, I informed your Lordship of the origination of calling an Assembly of representatives under the name of *a Committee of convention*, notwithstanding that is the name of the body, the Members also are all called Committees; so that for distinction sake, we must call the body the Convention. This Convention is now sitting; they met on Thursday, and did nothing that morning but choose a chairman and a clerk, viz. the late Speaker and the Clerk of the House. The same morning I prepared a message to this convention, and left it with Mr. Oliver the Secretary to deliver in the afternoon. I wrote it wholly in my hand, and my name so written was in the title; but as it was not undersigned by me they refused to receive it. This was only to gain time to send me a message before they acknowledged the receipt of mine. As they print what they do, your Lordship will

have their own account of these proceedings. The three days last week, they kept open doors; — was then absent. The two days this week they have kept the doors shut; — is with them. Whatever further transpires I will inform your Lordship of it.

It is now made a great question in what manner Great Britain will resent this proceeding; for certainly, at the fountain head it was intended to provoke a resentment, the great principle of the faction being to raise and blow up fire. Some say, and especially in the Convention itself, that the persons assembling would be by act of Parliament rendered incapable of serving in any public office. But this seems to be at once too confined, and too general a censure. The towns who chose these deputies (next to that who issued the summons) are answerable for this convention; and if they are a majority of the towns who send Members, as their own accounts at the lowest assert, the province is answerable. It is therefore concluded that the most probable consequence will be the forfeiture of the charter. If this is the worst, it is an event most devoutly to be desired by every well wisher to the province. I am, &c.

FRA. BERNARD.

A true copy.

Copy of a letter from Governor Bernard to the Earl of Hillsborough, dated Boston, October 1, 1768.

My Lord,

THE day my last packet went out of the harbour, brought in the fleet from Halifax, with two regiments on board, under the command of Lieutenant Colonel Dalrymple. As soon as I was informed of it, I went to the Castle, and got there before the ships got to anchor. Soon after I saw Colonel Dalrymple, and informed him of all the proceed-

proceedings of the Council concerning his quarters, and the difficulties he was to encounter. And it was agreed that I should call a Council at the Castle the next morning, and invite the Colonel and commanding officer of the fleet to attend the Council.

The Council accordingly met at the Castle the next morning, being Thursday September 29th. The commanding officers likewise attended after the business was opened, the Colonel acquainted them in a very genteel manner that he was ordered to quarter one of the regiments at Boston; that he hoped he was going among his friends, and that his men would on their parts behave as such; that he should be glad if he could have quarters in the way of barracks, where he could keep his men under the eyes of their officers, and then he would engage that his men should be kept in good order. He added several kind expressions signifying his desire to conduct the business in a manner that should be most easy and agreeable to the town. He was answered, that they hoped he would observe the act of Parliament: and if he did, he would put both his regiments in the barracks at the Castle, which were in the town of Boston, and capable of holding two regiments: that when the barracks were full, the Council had nothing to do with quartering troops till the public houses were full. The Colonel said he would not dispute whether the Castle Island was in the town or not, they certainly were distinct places in his orders: That he was not used to dispute his orders but obey them, and therefore should most certainly march his regiment in the town; and if they assigned him quarters in the public houses he should take them: but then he could not be answerable for the good order of his men, which it would be impossible to preserve, if they were intermixed with the town people and separated from

from their officers. I then interrupted and asked, whether as the Colonel had now told them, that he must and would march his regiment into the town, it would not be best to reconsider my proposal for fitting up the Manufactory house for a barrack. It was observed that it was not regular to put a question until the Board was cleared: The gentlemen thereupon withdrew.

I then desired that in reconsidering my proposal for fitting up the Manufactory house, they would let me know what objection they had to it: the only objection worth notice was that they had no power to draw the money. I told them that there was an appropriation in the treasury for contingent services, which had much more money upon it than would be wanted for this business, which was a contingent service. They still declined it. I then told them that I would make one more proposal to them, which was, that if they would authorize me to fit up this building, I would be answerable it should be done at the charge of the Crown. This also they refused in writing, referring to their former answer. I then gave them to understand that those subterfuges would not disappoint the execution of the King's commands; and that I by myself would assign the house in question for a barrack.

The next morning when I got to the Castle as usual to hold a further consultation, Capt. Montresor, an engineer, arrived here, and brought letters from General Gage, for me and the Colonel, wherein the General says, that by a number of private letters from Boston to New York, and from the narrative of the proceedings of the town meeting at Boston, it was reported and believed at New York, that the people in and about Boston had revolted; he therefore sent Capt. Montresor to assist the forces as engineer, and to enable them to re-

cover and maintain the Castle, and such other posts as they could secure. As things were not so bad as this came to, the Colonel thought proper, upon the authority of these new orders, to alter his plan, and land both regiments at Boston, without loss of time. I gave him a positive order to take possession of the Manufactory house for one; and the other regiment was to be encamped. This being resolved, the fleet was immediately put into motion, and by the next morning commanded the whole town—and this day at noon the troops began landing, and were all paraded on the common by four in the afternoon. This was done not only without opposition, but with tolerable good humour.—Thus this business has been effected for the present, which would have had none of these difficulties, nor have occasioned such a parade, if it had not been for the undutiful behaviour of the Council.

I am, &c.

FRA. BERNARD.

A true copy.

Copy of a Letter from Governor Bernard, to the Earl of Hillsborough, dated Boston, October 3d, 1768.

My Lord,

IN my letter No. 25. I gave your Lordship an account of the proceedings of the convention; in this I propose to finish it. They sat exactly a week, and their last act I hereby send your Lordship a printed copy of, this and what I before sent being all that has been printed. They have besides, as I am told, prepared a petition to the King in the same, or nearly the same terms as the former, and have sent it to Mr. De Berdt, with a long letter of instructions, among which is, as is said, a direction to give it into the King's own hands.

hands. But I am not certain of this, as all this business was done with a kind of secrecy, into which it is scarce worth while to pry.

The chief observation upon these writings, is of their moderation, so very different from the temper of those who called this meeting. This is accounted for many ways: many of the deputies came down with instructions and disposition to prevent the Bostoners involving the province in the consequences of their own mad devices: many of them were, from the beginning, sensible of the impropriety and danger of this proceeding, and were desirous, by a moderate conduct, to correct the one and ward off the other. My message (which was said to be very high, tho' I hope not too high for the occasion) altho' it did not disperse them, had the good effect to keep them in awe. Hence it was that, when he joined them, was perfectly tame; and his colleague Adams, when he attempted to launch out in the language used in the House of Representatives, was presently silenced. And now these people assume to themselves the merit of the moderation of those whom they called together for very different purposes.

However therefore this temperate conduct of these deputies may in some measure apologize for the towns who deputed them and for themselves who assembled, it makes no excuse for those who took upon themselves to call them together. For whoever reads the minutes of the Town meeting in which the summoning this Convention was ordered, will easily perceive that it was intended to have very different effects from those which it was issued in.

I am, &c.

FRA. BERNARD.

A true copy.

Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated Boston, October 5th and 6th, 1768.

My Lord,

THE landing the two regiments at Boston on Saturday last with such dispatch and parade, which I informed your Lordship of by No. 26, is like to have good effects, and will at last, tho' it has not done it at present, produce quarters for the troops. On the Monday following I called the Council together, and laid before them a requisition of Col. Dalrymple's for the usual allowances under the act of Parliament. Against this it was argued that they were ready on their parts to comply with the act of Parliament, if the Colonel would on his. If therefore the Colonel would remove both the regiments to the Castle, they would provide the allowances, otherwise not. This produced a good deal of debate, after which I told them, that the Colonel had desired that if they were disposed to refuse, he might be heard before the refusal was made absolute, and I accordingly sent for the Colonel.

He came with Capt. Smith, and I informed him of what was passing. He enforced his requisition in very strong words, not without some hints of the King's resentment which would follow their refusal. He said that he had encamped one of the regiments, and was providing barracks for the other, that they might be both considered to be in barracks. If therefore they refused the allowances because they were not in the barracks at the Castle, they took upon themselves to determine upon the propriety of the King's stationing his troops at this or that place, and to presume to dispense with an act of Parliament, unless the troops were stationed at such places as they thought fit; altho' such proposed
stationing

stationing directly contradicted the intention of the King's ordering the troops to be stationed here at all. This was the substance of the Colonel's and my own reasoning upon the occasion, which had much weight, so to induce the Council to desire me to give them time to consider further of it; which I did upon their assuring me that they would draw up no more papers for publication; accordingly the Council was adjourned to this day.

Upon this day the Council met by themselves in the Council Chamber, and two of the Council came to me to know if I could engage the Colonel to send one of the regiments to the Castle, if they would provide for the other. I said, I could make no such terms with the Colonel, but as he happened then to come in, they might hear from himself. He said that his orders were to station the two regiments in the town, but if things were quiet, and the troops well received and accommodated, he made no doubt but the General would allow one regiment to go to the Castle: for which purpose he had already wrote. The gentlemen returned to the Council, they continuing to sit by themselves at the Council Chamber; when after many debates it was determined to supply the troops by eight against five in the Council then assembled.

After noon they came to me in a body, and gave me an answer in writing, wherein they resolved that I should appoint a person to provide the allowances, he undertaking, "*to run the risque* of the assembly paying the charge of it." I told them that this clause was disabling as well as enabling; for by inserting such a terrifying proviso, I should not be able to get any one to undertake it. If they meant nothing but to indemnify themselves from being personally answerable for this charge, I would re-commend

commend this clause, " that such provision should be made on the credit of the Assembly, and not of the particulars of the persons composing the Governor and Council." Some gentlemen approved of this; but it was greatly opposed, and it was urged that as there really was a great risque that the Assembly would not pay this money, it was fitting that the undertaker should know it. I asked them if the troops were barracked at the Castle, whether they would have inserted this clause; they freely answered No, for then there would have been no doubt of the legality of making such allowances, now there was. I then told them that it plainly appeared that this discouraging clause was put in as a pre-judgment of what the Assembly had to do in providing for this expence, and a dictation to them not to discharge it: and so it would by all knowing of this proceeding. However, I insisted upon the question of the amendment I proposed being put, and it passed in the negative. Upon which upon the unamended answer, I proposed a person for Commissary for this purpose; and he was approved. So here is a subject for dispute laid in store against the next meeting of the Assembly.

October 6.

This morning I had with me Colonel Dalrymple, and Mr. Godthwait, the person I appointed to make provision for the troops. And being informed of the terms upon which the Council had made this appointment, Mr. Godthwait, with the advice and approbation of the Colonel, declined undertaking this business; and the Colonel told me that he thought it was to no purpose for me to apply any more to the Council upon this or any other provision for the troops, for he saw that they were determined to do nothing. And I must add myself, that I am certain that the proviso was put in
to

to defeat the whole purpose. I am assured that at first they resolved to make a positive refusal, and had drawn up near two sheets of paper of arguments, to justify this refusal. But this paper being much excepted to, and generally disapproved, and a vote being obtained to make a provision, the opponents hit upon this expedient to annul the vote and render it ineffectual, and the affirmers of the vote with their eyes open into this expedient.

I am, &c. FRA. BERNARD.

Copy of a letter from Governor Bernard to the Earl of Hillsborough, dated Boston, October 14, 1768.

My Lord,

I Find myself obliged to continue my informations of the Council's separation from and opposition to the Governor in the execution of his Majesty's commands. I should have been glad to have been excused carrying the account any further than where I have already laid it; but my duty, and the importance of the subject, will not admit of my not proceeding.

In my Letter, No. 24, I informed your Lordship that I had prevented the publication of the proceedings of the Council on July 27 and 29 last, by ordering the Secretary to deliver no copies thereof; which I then thought was an effectual means of prevention. Also in my Letter, No. 28, I informed that I consented to the Council's taking time to consider of my proposal for their providing the allowances for the troops, upon their assuring me that they would draw up no more papers for publication. And I might have added, that I expressly stipulated that they should deliver into the Secretary's hands *all Papers* which they should use upon this occasion, without keeping *any copies* thereof. And this stipulation was, as I understood, unanimously assented to before we parted.

G

Nevertheless

Nevertheless there appeared on Monday last, October 10th, in three of the news-papers of that day, a publication of all the Proceedings on July 27th and 29th; and also, the entire Minutes of Council on October 3d and 5th, which are the subject of the stipulation before-mentioned. Upon my enquiring of the Secretary how these papers came to be published, he said, he understood that it was done *by Order of the Council*; but how they came by the copies he did not know. He was sure that no copies came out of his office; for he had kept the originals in his own custody, and never suffered them to be out of his sight when they were in use.

The next Council-day, October 12, I took an opportunity to observe upon this publication, and reminded them of the assurances they had given, that no papers, or copies of papers, should be kept out of the custody of the Secretary; and I desired to know from whom the copies used for these publications were procured, as they did not come from the Secretary, and who committed them to the press? No answer was given for the present. But when the business of the Council was over, and we had arose from the table, Mr. Bowdoin, (who upon this separation of the Council, has been the perpetual President, Chairman, Secretary, and Speaker of this new Council) addressing himself to me, said, that he was desired by the Council to inform me, that they had caused this publication, judging it necessary to quiet the minds of the people. Upon my observing, that they had promised to keep no copies of the papers they had used upon the last occasion; he answered, that the publication was not from copies, but the originals. I answered, that they had promised to deliver to the Secretary, *all* papers used in that business; but that I was obliged to him for being so explicit; for their declaring, that the original

ginal papers of these Minutes of Council were with them, and that those remaining with the Secretary were only copies, was such an avowal of their being a Board separate from and independant of the Governor, as I did not expect. But they were in the right to speak out. I added, that it might be doubted whether the Council by any separate act of their own, could create a forfeiture of their Charter; but if they could, I should have no doubt, but that their separating themselves from the Governor, and acting as a compleat body by themselves, would amount to such a forfeiture. And I either added, or had it strongly in my mind (I cannot say which) that these their proceedings, would probably be joined with other extraordinary proceedings on the part of the People, to infer a general departure from the Constitution of the Government, and an invasion of the Royal Rights contrary to the tenor of the Charter.

Mr. Bowdoin, in justification of himself and his associates, said, that the People in their present temper, would not bear with the keeping the proceedings in Council secret; for this reason to quiet the People, they found themselves obliged to make their doings public, and could not submit to an injunction of secrecy. I answered, that if they would shew me any civilized Government upon earth, that did or could support itself under a continual and immediate publication of the results of its most intimate Councils; so that before any of its orders could be carried into execution, they should be canvassed by tavern politicians, and censured by newspaper libellers, I would submit to their prescriptions. But as I knew that Government could not be carried on upon these terms, I should be obliged to desire his Majesty's instructions how to conduct myself under these difficulties.

I should have before observed, that in opening this Council, I ordered the Secretary to read the oath of a Counsellor; part of which is, that *they shall not reveal what shall be committed to them in secrecy*; and I added, that what I was now going to commit to them was in secrecy. I added, that I was sorry to observe, that some matters which I had heretofore committed to them in secrecy, had not only transpired, but been published, with the particulars, which could not have been known abroad, if a due regard had been had to the oath. Upon this, Mr. Bowdoin said, that the Council were of opinion, that the oath of secrecy related only to such matters as *they* should think and advise ought to be kept secret; and that the Governor had no power to enjoin them to secrecy without their own consent. I told them, that this their resolution, which I now heard the first of, was very extraordinary; for it argued, 1. That matters committed to the Council in secrecy, should be committed by themselves, which was a contradiction in terms. 2. That if secrecy was not to be enjoined, until after the matters had been considered of and debated upon, they could not be *committed* in secrecy. 3. That according to this, the Governor could not commit any matter in secrecy to the Council, though enjoined by the King himself.

Besides the merits of the subject matter, your Lordship will observe the extraordinary circumstance of a Counsellor denouncing to the Governor, the resolution of the Council upon a question, or a distinction of a question, which, though relative to the conduct and duty of the Council, was never moved or argued in Council before the Governor; and concerning which, he has neither had an opportunity to hear the reasons which induced the Council to be of that opinion, or to offer his own

reasons against it; and in consequence, can make no report of the principles upon which such opinion was founded.

Before I finish this subject, I must mention a fact of their treatment of Mr. Oliver, the *King's* Secretary. This new Council met in the Council Chamber by themselves, and by their own appointment, and sent for the Secretary. When he came, they examined him concerning an entry in the Minutes of the Council; which to my knowledge was read, and approved of before they parted, but which, upon recollection, did not suit their purpose, and therefore they disavowed.—During this examination, they kept him standing at the end of the table, and at last asked him to sit down at the bottom of the table: he said, he knew of no Council where the Governor was not present; and withdrew.

Mr. Oliver, by his rank in the list of Counsellors, and the usage of the country, had a right to take place of much the greatest part of the Counsellors present, in all indifferent places. But being full of their own self-assumed dignity, they treated this gentleman with a rudeness, which I should have been ashamed to have seen practised upon a man of much less rank and merit, if I had been in the chair.

The difficulties I meet with in carrying his Majesty's orders for quartering the troops into execution, will, I foresee, occasion my being behind-hand in letters due to your Lordship.

If therefore you should observe in me a want of punctuality, you must not impute it to my idleness; for I was never harder worked than I am at present. I am, &c.

FRA. BERNARD.

A true copy.

L E T T E R S
FROM
LORD HILLSBOROUGH,
GENERAL GAGE,
COMMODORE HOOD, &c.

*Copy of a Letter from the Earl of Hillsborough, to
Governor Bernard, dated Whitehall, December
24, 1768.*

S I R,

I Have received, and laid before the King, your
dispatches, No. 29, 30, and 31; and as every
circumstance relative to the State of your Govern-
ment is now before Parliament, I shall hope to
be able to send you very soon the result of their
proceedings. In the mean time I am to acquaint
you, that his Majesty approves your conduct in
every part of it, and sees with concern and dissatis-
faction, how greatly his service is obstructed, and
the dignity and spirit of his Government destroyed,
by the unwarrantable and unjustifiable behaviour of
the Council upon many occasions, and more espe-
cially with respect to quartering his Majesty's
troops; a service in the facilitating of which they
were called upon by every consideration of duty to
the Crown, and of regard to the peace of the pub-
lic, to exert themselves to the utmost of their
power. I am, &c.

HILLSBOROUGH,
Governor Bernard.

A true copy.

Copy of a Letter from the Earl of Hillsborough to Governor Bernard, dated Whitehall, 4th January, 1769.

SIR,

I Have received and laid before the King your dispatches No. 32 and 33, which appear to contain only farther accounts of the obstruction given by the Council to Government in general, and of their determined resolution to pursue a conduct that can have no other effect than to defeat the measures his Majesty has thought fit to adopt, for restoring peace and good order in the town of Boston.

As the state of the province is still under the consideration of Parliament, I have nothing to add to what I have already said to you in my letter No. 22 upon that subject, and have only to repeat to you, that as soon as the proceedings of Parliament are brought to a conclusion, I shall not fail to transmit to you the result of their deliberations: in the mean time, I am persuaded there will be on your part no relaxation of that attention to the execution of your duty, which does you so much credit, and that you will steadily and firmly pursue every constitutional measure for the support of his Majesty's authority, and the dignity of his government.

I am, &c.

Governor Bernard.

HILLSBOROUGH.

A true copy.

Extract of a Letter from the Earl of Hillsborough, to the Honourable Major-General Gage, dated

Whitehall, 10th December, 1768.

HIS Majesty approves your activity, and the attention which you have shewn to his service in your resolution to go to Boston, and hopes that your presence there will greatly conduce to remove the difficulties which have occurred in quartering the

troops, and to prevent any just cause of complaint on the part of the inhabitants, as well as to assist the Governor in reducing them to a just sense of their duty, and in the preservation of the peace and the execution of the laws, in which he appears, as far as the weak state of Government would admit, to have exerted a becoming spirit, and to have shewn a due regard to his Majesty's service.

A true copy.

Extract of a Letter from the honourable Major-General Gage to the Earl of Hillsborough, dated Boston, Nov. 3, 1768.

HIS Majesty's intentions communicated to me in your Lordship's Letter No. 12, respecting the ship of war, which carries Lord Botetourt to his Government, and that which escorts the transports to Boston, has been made known to Commodore Hood, and I have acquainted the Commodore with my opinion that his Majesty's service did require those ships to remain in the American seas. He is daily expected here from Halifax, and I hope to settle that matter with him in person, before I return to New-York.

Every thing now has the appearance of peace and quiet in this place, and I find some prosecutions are commenced in the Court of Admiralty against two of the most popular leaders, who dared to violate the laws in a very daring and open manner; and it is hoped this example will encourage the civil officers of every degree to do their duty without fear, and to curb effectually the licentious and seditious spirit which has so long prevailed in this place. Your Lordship will see that the presence of the troops has already produced some good effects; and it appears very necessary for his Majesty's service, that both his land and sea forces should be strong in
North-

North-America, for some time to come; particularly till the affairs of America have been laid before Parliament, and the resolutions concerning the Colonies shall be made known.

A true copy.

Extract of a Letter from the Earl of Hillsborough, to the honourable Major-General Gage, dated Whitehall, Dec. 24, 1768.

I Have this day received and laid before the King your dispatches from Boston, dated the 31st of October, and 3d and 8th of November, numbered 18, 19, and 20.

The account contained in these dispatches of the conduct and proceedings of the Council, and of the inferior magistrates at Boston, upon the repeated applications made to them for quartering his Majesty's troops pursuant to the act of Parliament, is a farther testimony of the weak and disordered state of Government in the province of Massachusetts Bay, and of the disposition that prevails in almost all ranks of the people to obstruct and embarrass the King's service, in a case in which his Majesty has shewn so great a regard to the peace and security of a town, where Government had been so repeatedly insulted, and set at defiance.

As every circumstance relative to the state of the province of Massachusetts-Bay is now before Parliament, I have only to express to you his Majesty's approbation of the measures you have taken, in concert with Governor Bernard; for providing for the reception and accommodation of the troops during the winter, and of the caution you have used to execute this service in such a manner as to avoid all grounds of reasonable discontent, and to secure his Majesty's officers from the hazard to which the uncertainty

certainly and want of precision in the law might expose them in a place where every effect of malice seems to be exerted to ensnare and distress them.

For my own part, I shall not fail to submit your observations upon the Mutiny-act to the consideration of the rest of his Majesty's servants, and shall be very happy if any alteration can be made therein, which without giving up the principle, may render it more easy in the execution, and less hazardous to the officers.

As you appear to think that there is no probability that any inconveniency will arise from allowing the provincial garrison to keep possession of Castle-William; the King is satisfied with the reasons you give for permitting them to remain in it for the present. What may be necessary hereafter in respect to this fortress, as well as to what you suggest of building barracks upon, and fortifying the eminence behind Boston, must depend upon the future conduct of that town.

It has given great pleasure to the King to find by your letter No. 19, that the measure of sending troops to Boston, has been so fully justified by the effects of it, which his Majesty hopes from the present appearances, will finally produce that spirit of order and obedience to lawful government upon which the happiness and security of society depend.

A true copy.

Copy of a Letter from Captain Smith, to Mr. Stephens, dated on board his Majesty's Ship the Mermaid, in Boston-Harbour, the 26th of October, 1768.

SIR,

BE pleased to acquaint my Lords Commissioners of the Admiralty, that I have received their order

order of the 11th of August last, signifying their having caused Transport vessels to be provided to carry the 64th and 65th regiments of foot under convoy of his Majesty's ship Hussar from Ireland to Boston in New-England, with orders to take that ship under my command, if circumstances of affairs should make her assistance necessary, otherwise to dispatch her back to England; a copy of which order I immediately sent off by his Majesty's ship Romney for Commodore Hood at Halifax, whom I daily expect at this port. In the mean time (if the Hussar should arrive) I shall take her under my command until the Commodore's further orders concerning her, of which I have acquainted him; no doubt but their Lordships are advised by the Commodore of his order to me of the 14th of September last, to embark the two regiments, and a company of the train of artillery, at Halifax, on board his Majesty's squadron, and proceed to this port, and land them, which I did on Saturday the 1st instant, in good order, and without opposition. But the troops are not yet quartered, nor by any means provided for, as they should be; therefore by an application from the Governor, General Gage and Colonel Dalrymple, and since then an order from Commodore Hood, I remain before the town with his Majesty's ships Mermaid and Glasgow, with the Senegal, Beaver, and Bonetta sloops, and Hope schooner, having sent back to Halifax his Majesty's ships Romney and Launceston, Martin sloop, with the St. Lawrence and Magdalene schooners.

I am, &c.

— SMITH.

A true copy,

Copy of a Letter from the Lords Commissioners of Admiralty to the Earl of Hillsborough, dated Admiralty-Office, 7th Jan. 1769.

My Lord,

HAVING just now received letters from Commodore Hood, Commander in Chief of His Majesty's ships and vessels in North America, dated the 15th, 22d, 25th and 27th of November last, giving an account of the situation of affairs in those parts, and of his arrival at Boston; we send your Lordship herewith Copies thereof, for his Majesty's information, and are, My Lord, &c.

C. Townshend,
J. Buller,
Piercy Brett.

Earl of Hillsborough, &c.

A true copy.

Extract of a Letter from Commodore Hood, to Mr. Stephens, dated Boston Harbour, 15 Nov. 1768.

I Beg you will be pleased to acquaint my Lords Commissioners of the Admiralty, that I am just arrived here in ten days from Halifax, accompanied by the Viper Sloop and Gaspee Schooner, and find every thing perfectly quiet, and flatter myself, from what I have been told, that things will remain so the winter. Six of the transports from Cork are arrived, the last came in yesterday, and parted with the *Huffar* the second instant, not far from Long Island. I shall keep a Schooner in the Bay to look out for her and the missing transports.

A true copy.

Extract of a Letter from Commodore Hood to Mr. Stephens, dated on board his Majesty's Ship the Romney, in Boston Harbour, 22 November, 1768.

I Desired you would acquaint my Lords Commissioners of the Admiralty of my arrival here the 15th, by a vessel just then about to sail, duplicate of which accompanies this.

Governor Bernard sent me a letter yesterday from Capt. Thomson, acquainting me of his arrival in Hampton Road in Virginia the 25th of last month, with his Majesty's ship Rippon under his command, and that Lord Botetourt was landed the next morning, and inclosing their Lordships order of the 25 of August, directing me, if the King's service shall in my opinion require it, to take the said ship under my command, and employ her in such a manner as I shall judge best in the execution of the services intrusted to my care; but if circumstances of affairs shall be such as to render her assistance unnecessary, to direct her Captain to repair without loss of time to Spithead, and to send an account of her arrival to you: At present things here are very quiet, and I flatter myself will remain so, till the resolutions of Parliament are known; what turn they will then take, is uncertain. The spirit of opposition to the Acts of Parliament of Great Britain, is as high as ever, and general throughout the Colonies; it therefore seems very prudent and necessary to be as strong in all parts, and in all respects as possible; and there is no saying now, how far the Rippon may be essentially serviceable in the spring. The present season is such as to render any movements at sea, of the King's ships, very hazardous; and as the disturbances in Virginia and other Provinces to the Southward of this, are as great as they well can be, without actual Rebellion, I have judged it right, upon consulting with General Gage, to direct

direct Captain Thompson to remain in Hampton Road till further orders, holding the ship under his command, in as great readiness for service as is consistent with her safety; for if troops should be required to be carried from this Province to any other, or from any other to this, it is a service not to be effected but in his Majesty's ships, as transport vessels cannot be hired. These are my reasons for detaining the Rippon in America, which I hope will prove satisfactory to their Lordships; and if the winter resolutions at home (upon which the obedience of the Colonies wholly depends) should restore affairs here to any degree of order, I shall immediately send Capt. Thompson to England; and in the mean time, if I see no cause to the contrary, I shall direct him to join me here, as soon as the severity of the winter is over, by which he will be able to return home with the greater expedition, as the post is five and twenty days at soonest from this to Virginia, and very precarious from Philadelphia.

The Hussar and two transports are still missing; I begin to be in pain about them, as the weather has been very tempestuous for many days past.

I propose to remain here the winter, keeping with me the Romney, Mermaid, two sloops, and two schooners; I have ordered the Glasgow to winter at Halifax, and a schooner at Louisbourg, a sloop at Rhode Island, and the Deal Castle and a schooner at New York, where I shall also send another frigate if the Hussar should not arrive there; from the last account of her, she was without a bowsprit, and from the winds that have since prevailed, I do not imagine she can reach this port. She was spoke with standing in for Sandy Hook about ten days since, so that I expect to hear of her arrival by to-morrow's post.

The Raven transport which has Colonel Mackay
 1 on

on board, has been spoke with in latitude 38, longitude 66, with her foremast and maintopmast gone, and it is supposed she is gone to the Southward.

A true copy.

Copy of a Letter from Commodore Hood, to Mr. Stephens, dated on board the Romney, in Boston Harbour, November 25, 1768.

S I R,

I Beg you will be pleased to acquaint my Lords Commissioners of the Admiralty, that His Majesty's ship Hussar is arrived at New York; she parted company with two of the transports on the 30th of October, between the islands of Madeira and Teneriffe, and with the other six on the 3d of this month, from necessity, by carrying away her Mizzen-mast and Main-top-sail-yard, which obliged her to carry sail in a hard gale of wind at S. by W. supposing themselves very near the Shoals of Nantucket. She has also received other damage, and has a leak seven feet under water, which makes twelve inches every four hours; and from the report of the survey sent to me of the ship, she requires to be caulked before she can proceed to sea. I have directed Capt. Parker to get His Majesty's ship under his command in a condition for service as soon as possible, and to draw upon the Navy Board for such stores as she is under a necessity of taking, as well as for the workmanship necessary to be done, and have recommended it to him, in the strongest manner, to have no more stores, or works done, than are absolutely unavoidable; and have directed him to remain at New York till farther orders. Disturbances seem again to be renewed there, the General and Governor Bernard have been lately burnt in Effigy, in a most public manner.

I have

I have the pleasure to acquaint you that the Dolphin transport is just come in all well on board, so that the Raven with Col. Mackay on board, is the only one missing. I am, Sir, &c.

SAMUEL HOOD.

Philip Stevens, Esq; Admiralty.

A true copy.

Copy of a Letter from Commodore Hood, Commander in Chief of his Majesty's Ships and Vessels in North-America, to Mr. Stephens, dated on board the Romney in Boston Harbour, 27 November, 1768.

I Beg you will be pleased to acquaint my Lords Commissioners of the Admiralty, that his Majesty's Ship Rose arrived here this afternoon in five weeks from the Bahama Islands. She met with very tempestuous weather upon this coast, which has sprung her Bowsprit, and done other damage to her.

I am, &c.

S. HOOD.

A true copy.

Extract of a Letter from Commodore Hood, to Mr. Stephens, dated on board the Romney in Boston Harbour, 7th of December, 1768.

Duplicates of my last letters accompany this, and I beg to observe that every thing here remains quiet, and I flatter myself order will be restored in a few months; the resolutions of parliament will determine clearly whether the additional naval force of the Rippon and Hussar can be of any service.

A true copy.

Copy

Copy of a Letter from Commodore Hood to Mr. Stephens, dated on board his Majesty's Ship the Romney, in Boston Harbour, the 12th December, 1768.

SIR,

I Have had the honour of writing to you very frequently of late, but as affairs of this country have been and still are very interesting at home, it must be satisfactory to their Lordships to hear often how they go; I beg now to acquaint you, that the people here are perfectly quiet, and I am pretty sure they will remain so till the resolutions of Parliament are known, which I am in hopes will restore order and make it lasting. There does not appear to me the least probability of the people's taking arms. I think it cannot happen. Indeed some few of the Convention took pains to bring the ignorant and lower class into that mind, and possibly might have succeeded had not the troops arrived as they did, but those few are now alarmed, and expect nothing less than a voyage to England against their inclinations. The Council are now sitting without the Governor, and preparing addresses, &c. to England. His Excellency has told them how unconstitutional they act, but they still go on. No account has yet been received of the arrival of the Raven transport with Colonel Mackay on board. I am, &c.

SAMUEL HOOD.

A true copy.

M E M O R I A L S
O F T H E
COMMISSIONERS of the CUSTOMS
I N
N O R T H - A M E R I C A :
W I T H S E V E R A L
L E T T E R S A N D P A P E R S A N N E X E D .

*Copy of a MEMORIAL of the Commissioners of
Customs, June 16th, 1768, and several Papers
thereunto annexed.*

May it please your Lordships,

IN our former Memorials to your Lordships, we represented the dis-affection of the people here to the Revenue Laws, and from the many treasonable publications that had been spread through all the Provinces, and the correspondence carried on by the several Assemblies, we were persuaded there had been a long concerted and extensive plan of resistance to the authority of Great Britain; and we believe, that the seizure referred to in the inclosed papers, has hastened the people of Boston to the commission of actual violence sooner than was intended.

From their outrageous behaviour towards our officers, and their repeated threats of immediate violence to our own persons, we found it absolutely necessary in order to save his Majesty's Commission from further insult, and to preserve our lives, to take shelter on board his Majesty's ship the Romney in Boston harbour, from whence we are removed

into Castle-William, to carry on the business of the Revenue till we can receive such protection as will enable us to act in safety at Boston.

We herewith lay before your Lordships copies of our minutes of the 13th and 14th instant, together with copies of several Affidavits and Letters relative to our present situation agreeable to the Schedule inclosed, and we beg leave to submit our opinion, that nothing but the immediate exertion of military power will prevent an open revolt of this Town, which may probably spread throughout the Provinces. Which is humbly submitted,

Castle-William,
Boston-Harbour,
June 16th, 1768.

Hen. Hulton,
J. Temple,
Wm. Burch,
Cha. Paxton,
John Robinson.

(Copy)

On board his Majesty's ship Romney,
Monday, 13th June, 1768.

Henry Hulton, Esq; }
in the chair. }

Copy, No. 2. PRESENT

Mr. Robinson, Mr. Paxton, and
Mr. Burch, Mr. Temple.

MR. Harrison, Collector of this port, having laid before the Board on the 16th instant, an information taken on oath, setting forth that the tidesman placed on board the sloop Liberty, which arrived from Madeira on the 9th day of May, had been forcibly confined on board the said vessel, during which time part of the cargo had been unladen, before entry thereof had been made at the Custom-house or Naval-office, the Commissioners referred the matter to the consideration of the Solicitor; and in the evening the Collector and Comptroller made seizure of the said vessel, and delivered her into the

charge of the Master of his Majesty's ship Romney, which lay near the wharf where the seizure was made, who immediately carried her along side the said ship, as there was a mob assembled, who attempted to rescue her.

The Collector and Comptroller, with the son of the Collector, on their return from the wharf into town, were attacked by a numerous and outrageous mob; Mr. Irving, Inspector of imports and exports, who happened to be passing the same way in his return from the wharf, was likewise attacked by the mob, who cried out, He is a Commissioner, kill him, kill him; these several persons were grossly insulted, and much bruised, and escaped with the utmost hazard of their lives, the Collector having been confined to his bed, and in great danger from a blow he received on his breast with a stone or brick-bat thrown at him, and the Comptroller having been likewise confined to his house under the care of a surgeon, from the wounds and bruises he received. After these violences committed on the persons of the officers, the mob proceeded to the houses of the Collector and Comptroller, broke their windows and those of Mr. Williams Inspector-General, and they concluded the night with dragging the Collector's boat from the wharf through the Town to the Common, where they burnt it.

Whilst these outrages were committing, the Commissioners had every reason to expect they should meet with the like insults, and therefore retired from their houses, taking shelter till after midnight with their families in the houses of some persons in their neighbourhood.

Early on the next day, the Governor acquainted the Commissioners that the Council would meet on the affair of the riot of the preceding evening, and desired if the Board had any thing to communicate

to.

to them thereon, that it might be laid before them; upon which the Chairman summoned the Commissioners to meet, it not being a Board day, when they wrote a letter to Governor Bernard; and the Collector, Comptroller, 3.4.5.6. Mr. Irving and young Mr. Harrison having sent to the Board their affidavits on this affair, the Commissioners immediately directed the Secretary to lay them before the Governor in Council.—The Board received a letter from —7. Mr. Oliver, Secretary of the Province, acquainting them, that the enquiry into the affair of the riot was referred to a Committee of the Council to be reported on Monday.

June 11. During this day the Commissioners received frequent informations that further riots were intended. And in the afternoon a verbal message was brought to them at Mr. Paxton's, where four of them dined in company with the Governor, that the Town was in a great ferment, and that Mr. Hancock, the owner of the sloop, desired she might be restored upon his giving bond to answer the prosecution that might be commenced against her, in order to quiet the Town. The Commissioners told the person that they could give no answer to verbal messages; that if the owner had any application to make to them, he must do it in writing, to be laid before the Board.

The Commissioners, considering this application as a menace, and finding no measures had been taken by the Governor and Council for securing the peace of the Town, and the Governor having repeatedly told the Commissioners that he could give them no protection, and that he would not apply to General Gage for troops, unless the Council advised him to it, and at this time said there was no safety for them in this place; and they considering

the temper of the people, and the appearance of further disturbances that night, thought it most prudent to secure a retreat on board his Majesty's ship, and accordingly wrote to Captain Copy 8 Corner, and in the evening Mr. Burch and Mr. Hulton, with their families, went on board the Romney, and the next day Mr. Robinson and Mr. Paxton came on board the man of war, when the Com-
9 missioners wrote a letter to Governor Bernard.

Monday 13. Read a letter of yesterday's date from the Chairman to the Secretary.

11 Read a letter wrote by three Commissioners at three o'clock this morning, to the Collector and Comptroller at Boston.

10 Read a letter of the 11th instant from the Collector and Comptroller of Boston, giving an account of their seizing the sloop Liberty, Captain Bernard, from Madeira, and delivering her into the possession of the master of the ship Romney.

Read a letter of this date from Governor Bernard, inclosing orders to the Captain of Castle-William for receiving the Commissioners with their families, and the officers of the Board into the Castle, and for giving them all the protection in his power.

Read a letter wrote yesterday by the Chairman to the Comptroller and Collector of Boston, directing them to draw up and deliver to the Secretary a written representation of the proposals made for returning the seizure to Mr. Hancock.

As the present meeting of the Board is to concert measures to be immediately taken for the honour of Government and security of the Revenue——Resolved, That Captain Corner be desired

fired to take a seat with the Commissioners at the Board, and he assisted at the Board accordingly.

Read a letter from the Collector and Comptroller of Boston, dated June 12, in answer to the letter wrote by the Chairman yesterday.

Orig. Signed a letter to Captain *Conner*.

Signed a letter to Governor Bernard.

Ordered, That it be delivered to him by the Secretary.

The Board adjourned till to-morrow morning ten o'clock, when Mr. Temple and the Secretary at two o'clock went on shore, the other four Commissioners and their families remaining on board.

H. H.

(Copy)

On board his Majesty's ship Romney.

Tuesday, 14th June, 1768.

Henry Hulton, Esq; } PRESENT. Mr. Burch, Mr.
in the chair. } Robinson, Mr. Paxton, and

Orig. also Captain *Conner*, who was
desired to attend as yesterday.

THE Secretary having, in the evening, been directed to acquaint Mr. Temple, that the Board would meet at Nine o'clock this morning, and that the Custom-house barge would attend at Wheelwright's wharf, to take on board the ship Mr. Temple, the Secretary, and such other officers as might be there.

About Eleven o'clock, no boat appearing at the wharf before, the Secretary came on board, bringing with him a letter from Mr. Temple, excusing his attendance at the Board on account of the weather.

The Board were acquainted, that advertisements were yesterday stuck up in various parts of the

town, and hand-bills distributed, of which the following is a copy :

Boston, June 13, 1768.

“ THE Sons of Liberty request all those who, in this time of oppression and distraction, wish well to, and would promote the peace, good order, and security of the town and province, to assemble at Liberty-hall, under Liberty-tree, on Tuesday the 14th instant, at Ten o'clock forenoon, precisely.”—And that, in consequence thereof, a red flag was hoisted yesterday in the afternoon at Liberty-tree, and continued flying this morning; and that, about ten o'clock this morning, a great number of people, supposed to be near 2000, met, and, after choosing a Moderator, adjourned to Faneuil-hall, till three o'clock in the afternoon.

Read a letter from Governor Bernard, dated the 13th instant in the forenoon.

Read another letter from Governor Bernard, dated the 13th instant.

The Board taking the said letters into consideration, together with their letters to the Governor, of the 12th and 13th instant, and having received repeated information of the tumultuous and disordered state of the town of Boston still continuing and increasing, are fully persuaded of the justness and propriety of their said letters to the Governor.

Resolved, That from the outrageous behaviour of the people in the town of Boston, the Commissioners cannot return there, but at the utmost hazard of their safety, and the honour of the Crown.

Resolved, That not receiving any assurances from the Governor and Council of protection in Boston, the Board judge it expedient to retire to Castle-William, which the Governor has offered to the Com-

Commissioners, in order to carry on the business of the revenue.

Resolved, That a letter be wrote to Captain Corner, to desire he will put the Commissioners on shore at Castle-William, and that he will remain there, with his Majesty's ship under his command, for their protection.

Read a letter of this date from the Collector and Comptroller of the Port of Boston, wrote on board the ship Romney.

Orig. Signed a letter to Captain Corner, of his Majesty's ship Romney. H. H.

Orig. *Copy of the Deposition of Thomas Kirk, Tidesman in the Port of Boston, dated 10th June, 1768.*

Orig. **I** Thomas Kirk, of Boston, do declare and say, That being appointed one of the Tidesmen on board the sloop Liberty, Nathaniel Barnard, Master, from Madeira, I went on board the said vessel the 9th day of May last, in the afternoon; and, about nine o'clock in the evening, Captain Marshall came on board the said vessel, and made several proposals to me, to persuade me to consent to the hoisting out several casks of wine that night, before the vessel was entered;

Orig. to all which I, I peremptorily refused; upon which Captain Marshall took hold of me, and, with the assistance of five or six other persons unknown to this Declarant, they forcibly hove me down the companion into the cabin, and nailed the cover down. I then broke through a door into the steerage, and was endeavouring to get upon deck that way; but was forcibly pushed back again into the steerage, and the companion doors of the steerage also fastened, and was there confined about three hours; and, during that time, I heard a noise

as of many people upon deck at work a hoisting out of goods, as I distinctly heard the noise of the tackles. When that noise ceased, Captain Marshall came down to me in the cabin, and threatened, that if I made any discovery of what had passed there that night, my life would be in danger, and my property destroyed. The said Captain Marshall then went away, and let me at liberty; and I was so much intimidated by the aforesaid threatenings, that I was deterred from making an immediate discovery of the aforesaid transactions: and further this Declarant saith not.

(Signed)

Thomas Kirk.

Suffolk, ff.

Boston, 10 June, 1768.

The above-named Thomas Kirk made oath to the above-written affidavit, before me,

Samuel Pemberton, Just. Peace.

Copy of the Deposition of Joseph Harrison, Esquire, Collector of the Customs at Boston, dated June 11, 1768.

Joseph Harrison, Esquire, Collector of his Majesty's Customs at Boston, on oath declareth, that in the afternoon of the 10th instant, between the hours of six and seven, in consequence of an information of some illicit practices having been committed on board the sloop Liberty, Captain Barnard, lately arrived from Madeira, he went to Mr. Hancock's wharf, and made seizure of the said vessel, which he left in charge of an officer belonging to his Majesty's ship the Romney: That, in returning to his dwelling-house, he was surrounded and insulted by a numerous mob, in a street about two hundred yards from the said wharf, and was by them pelted with stones and dirt: That he received several blows with sticks, and particularly one blow on the breast, which staggered him greatly,

ly, so that it was with difficulty he kept himself from falling; and the Deponent verily believes, that, if a person had not pointed out to him a turning into another street, whilst the mob were surrounding a house, that the Deponent's life would have been in more imminent danger.

That the Deponent, fearing the mob would grow more outrageous, as they increased in numbers, took refuge in a friend's house, where he is now confined to his bed, and where he was informed, that his house had been attacked, and the windows broken; and that a pleasure-boat belonging to him had been dragged up from the water-side to the Common, and there burnt and destroyed: and further saith not.

(Signed) Jos: Harrison.

Suffolk, ff.

Boston, June 11, 1768.

Then Joseph Harrison, Esq; made solemn oath to the truth of the above-written, subscribed by him before me,

(Signed) Belcher Noyes, Justice of Peace.

*Copy of the Deposition of Benjamin Hallowell, Esquire,
Comptroller of the Customs at Boston.*

Benjamin Hallowell the younger, Comptroller of his Majesty's Customs at Boston, on oath declareth, That on information of frauds having been committed on board the sloop Liberty, Barnard, Master, lately arrived from Madeira, laying at Hancock's wharf, he went with the Collector in the afternoon of the 10th instant, between the hours of six and seven o'clock, in order to make seizure of the said sloop, which they effected, and delivered into the charge and custody of an officer belonging to his Majesty's ship the Romney.—That, during the time of the seizure and delivery of said sloop, numbers of people collected together; amongst which were Daniel Malcolm, John Matchet, Captain Hopkings, and others unknown to this Deponent.

ment.—Malcolm, Matchet, and Hopkins said, that the before-mentioned sloop should not be taken into custody; and declared they would go on board, and throw the people belonging to the Romney overboard; and made use of every means in their power to interrupt the Officers in the execution of their duty; saying, if this work was going forward, it was high time to begin; and these people, with many others, swore revenge upon the King's Officers, holding the vessel by the ropes and sides until she was forced from them.

That on returning towards home, this Deponent, with the Collector and his Son, was furrounded by a numerous mob, who threatened them, with many speeches, that they would throw them overboard, &c. and threw volleys of stones, bricks, and dirt at them. This Deponent received several blows on the head, and other parts of the body, in particular one on the right cheek, and another upon the back of his head, of a dangerous nature, whereby he is now confined to his house. And this Deponent verily believes, that if some friendly people had not interposed, and rescued him from the fury of the mob, that he should have been murdered in the street.

That, about eight o'clock the same evening, this Deponent's house was furrounded with a great concourse of people, who broke his windows, and endeavoured to force the house; and demanded his person, to give satisfaction for the seizure made as before mentioned; and, after remaining for about three quarters of an hour, and finding their searches for him in vain, they dispersed; and further saith not.

(Signed) Benj. Hallowell, junior.
 ff. Sworn to the same day, before
 Edmund Quinsey, Justice of Peace,
 Boston, 11th of June, 1768.

(Copy)

Richard Acklom Harrison, Son of Joseph Harrison, Esq. Collector of his Majesty's customs at Boston, on oath declareth, that being in company with his Father in the afternoon on the 10th instant, between the hours of six and seven, when he made seizure of the sloop Liberty lying at Hancock's wharff, and returning homewards with him; he the Deponent was surrounded and insulted by a numerous mob, who pelted him with stones and dirt, and threw large sticks at him; they also threw him down, and dragged him by the hair of his head, and otherwise treated him in a cruel and barbarous manner, whereby he received two wounds, one in his leg, and the other in his arm, and put him in imminent danger of his life; and had he not taken refuge in a house by the assistance of some friendly people, the Deponent verily believes, that he should have been murder'd in the street, and further saith not.

(Signed) Richard Acklom Harrison.
Suffolk Street, Boston,

June 11, 1768.

Then Mr. Richard Acklom Harrison made solemn oath to the truth of the above written, subscribed by him before me

(Signed)

Belcher Noyes, Justice of Peace.

Copy of the Deposition of Thomas Irving, Esq. Inspector of Imports and Exports.

Honourable Sirs,

CONSIDERING myself in some respects under your protection, I beg leave to lay before you the following short account of an attack made upon my person last night.

Returning

Returning by myself from the end of the Long wharff in the evening about nine o'clock, I was attacked by a considerable number of disorderly people, who, after laying violent hands on me, demanded if I belonged to the Man of War? To which I answered, I did not. Their next question was, whether I belonged to the Board of Commissioners, which I answered in the affirmative. They then began to beat me with Clubs, Sticks, &c. but some of the ringleaders interposing, and assuring me of their protection, I walked pretty quietly up amongst them to that part of the wharff adjoining King Street, where the mob returning with me was joined by another of much superior numbers. This mob after dragging me from amongst my former friends, seized me by the hair, arms, &c. whilst others were beating me upon the head with Clubs, calling out to murder or kill me. In this disagreeable situation two men meanly dressed took compassion upon me, and with great difficulty pulling me from amongst the croud, got me conveyed through a house into a back yard, and from thence into another house, where I remained until the mob moved me to some other part of the town. My sword I have got broke to pieces, and received a few slight wounds.

Thus, honourable Sirs, you have the particulars of this affair, as nearly as I can recollect; at the same time humbly craving the state of this case may be laid before his Majesty's Ministers, whose protection, as a subject, and a servant of the Crown, I flatter myself I am entitled to.

I am with the greatest respect, &c.

(Signed)

Thomas Irving.

Boston, June 11, 1768.

Suffolk

Suffolk Street, June 11, 1768.

Personally appeared Thomas Irving, Esq. and
and swore that the above deposition by him subscribed was the truth.

(Signed)

Benjamin Hallowell, Junr.
Justice of Peace.

(Copy)

S I R,

Boston, 11th June, 1768.

HIS Excellency directs me to acquaint your honourable Board, that the Council was just up when he received your letter; but that there was a Committee appointed of six gentlemen of the Board, who are in the commission of the peace for this county, to assist him in making enquiry into the disorders of the last evening, in order to ascertain facts, and that the Governor has appointed Monday morning nine o'clock for this business at the Council Chamber.

I am, Sir,

Your most obedient humble Servant,

(Signed)

ANDREW OLIVER.

Honourable John
Robinson, Esq.

*Copy of a Letter from the Commissioners of the Customs.
at Boston, to Captain Corner.*

S I R,

FROM the outrageous behaviour of the people in this place last night, towards our Officers, and the present appearance of things, we are persuaded, that further violence is intended, and that we ourselves are the objects; we therefore desire, Sir, that you will order a Boat to take us on board his Majesty's ship under your command, to shelter us from insult.

We are, &c.

Henry Hulton

Wm. Burch

Char. Paxton

John Robinson.

11th June, 1768.

Copy of a Letter from the honourable Commissioners of his Majesty's Customs to Governor Bernard.

S I R,

AS we found by Mr. Secretary Oliver's Letter yesterday, that no immediate measures were taken in Council for securing the peace of the town, though there was the strongest reason to expect further violences, and your Excellency acquainting us, that you could give us no protection, and that Boston was no place of safety for us, and having received a verbal message from the people, by a person of character to this effect, "that if the sloop" "that was seized was brought back to Mr. Hancock's wharf, upon his giving security to answer" "the Prosecution, the town might be kept quiet"; which message appearing to us as a menace, we applied to Captain Corner to take us on board his Majesty's ship under his command, where we now are; and being this day further informed, that some of the Leaders of the people had persuaded them in an harangue to desist from further outrages till Monday evening, when the people are to be left to use their own discretion, if their requisitions are not complied with. We acquaint your Excellency, that we cannot consistent with the honour of our commission, act in any business of the revenue whilst under such an influence, and think it necessary to provide for our future security, and therefore request your Excellency to give directions that the Commissioners may be received into the Castle, and that they may have the use of the accommodations there for themselves, their families, and the Officers of the Board: and that your Excellency will please to give orders for their protection and security, whilst they may remain there.

(Signed)

	(Signed)	John Robinson,
On board his Majesty's	}	H. Hulton,
ship Romney, 12th		W. Burch,
June 1768.		C. Paxton.

To his Excellency Gov. Bernard.

*Copy of a Letter from the Collector and Comptroller of
Boston, to the honourable Commissioners of the Customs
at Boston.*

Honourable Sirs,

A GREEABLE to your Honours directions, we laid before the Solicitor Mr. Lefse, Thomas Kirk's deposition relating to the sloop Liberty, Capt. Barnard, from Madeira, on which from the facts and circumstances therein related, he gave his opinion, that the said sloop ought to be seized, in consequence of which and of directions given us by the chairman of the honourable Board, we immediately proceeded to make seizure of the said sloop Liberty, then laying at Mr. Hancock's wharf, which we effected yesterday about seven o'clock in the afternoon, and delivered her into the possession of the master of his Majesty's ship Romney, who now has the charge of her. We are,

Your Honours most dutiful and most obedient
Servants,

Custom house, Boston,	Jos. Harrison, Collector,
June 11, 1768.	Benj. Hallowell, Compt.

The Honourable the Commissioners
of his Majesty's Customs.

(Copy) Romney, 12 June, Sunday 4 o'clock.
Gentlemen,

AS Chairman, I am to desire that you will immediately draw up and deliver to the Secretary or Mr. Reeve, a written representation of the proposals made yesterday for restoring the seizure to Mr. Hancock, on his giving security for the value

I

lue

hue, in order to pacify the town, and also of the stipulations that were entered into last night by the principals of the mob, that no farther outrage should be committed until to-morrow evening, that they might have the Board's answer to the proposals; and you are to express the same in the most full and clear manner.—You shall soon hear further from me, on the subject of our conversation last night.

I am, &c.

(Signed)

John Robinson.

Copy of a Letter from the Collector and Comptroller of Boston, to the Chairman, June 12, 1768.

S I R,

WE beg leave to inform you, in answer to your letter, that the proposal made to us on behalf of Mr. Hancock, is, that the sloop Liberty that has been seized, and now under the protection of the Romney Man of War, shall be returned to Mr. Hancock's wharf, and suffered to lie there, till the affair is issued in the Court of Admiralty; and that he, Mr. Hancock, will give security, that the said sloop shall be at forth-coming, and re-delivered to us, in case the decree shall be in our favour.

The substance of the several informations we have had, respecting the stipulations in behalf of the mob, is, that a design was formed and concerted, for a general insurrection or assembly last night, and, in consequence thereof, large numbers of people were actually gathered together, and regularly formed into parties under their respective leaders, in several parts of the town. That the reason given for this proceeding was, to oblige, by force, those concerned in the seizure to return the sloop Liberty to the wharf from whence she had been taken. As the consequence of that attempt might have been a general

general outrage, or perhaps a pillage of every person concerned in the Customs; and of those who are accounted their friends and abettors; it has alarmed several gentlemen of the town, and induced them to make the proposal above-mentioned, for returning the sloop to Mr. Hancock's wharf; and to give time for a negotiation to that purpose, it was stipulated with the principal leaders and managers of the mob, that no farther outrages should be committed, but that the people should remain quiet till Monday night, which was the longest term that could be obtained of them.

It appears evident to us, that a plan for an insurrection, of a very dangerous and extensive nature, has long been in agitation, and now brought nearly to a crisis; and that to put it in execution, there was only wanting some step to be taken by the Officers of the Customs, that might be made a handle of to inflame the minds of the people, which this seizure has furnished them with.

Upon the whole we can only observe, that as the powers of government in this country, are in so weak and enervated a state, and the mob, by what we can learn, determined upon their point, we should consider it as a measure of policy, in the present dilemma, to take Mr. Hancock's security, and release the sloop for the preservation of the officers, and tranquillity of the town, which we have reason to believe would otherwise be greatly endangered.

We are, Sir, with great respect,

Your most obedient and most humble servants,

Boston, June 12, 1768. Jos. Harrison, Collector.
Benj^r Hallowell, Compt.

To the honourable John Robinson, Esq;

Gentlemen,

IN consequence of the intelligence you have given us, we think it absolutely necessary to direct you to convey all the money in your custody belonging to the Crown, in the boat herewith sent you, in order that it may be deposited in the Romney for safe custody.

Romney, June 13, 1768.

Monday, three o'clock in
the morning.

Signed { John Robinson,
Henry Hulton,
Wm. Burch.

To the Collector and Comptroller, Boston.

Copy of a Letter from Governor Bernard to the Commissioners of the Customs.

Council-chamber, June 13, 1768, Forenoon.

Gentlemen,

HA V I N G communicated your Letter of the 12th instant to the Council, they observe with concern, that you say, " that no immediate measures were taken in Council for securing the peace of the town, though there was the strongest reason to expect further violences ;" they cannot but be apprehensive, that this sentence, if it should pass unnoticed, must tend to charge them with a neglect of their duty, in not advising me to take proper measures for preserving the peace of the town ; they therefore have desired me to acquaint you, that, during the sitting of the Council on Saturday morning, so far from their having the strongest reason to expect further violences, there was no reason at all given for such expectation, and there was no apprehension, either in the Governor or Council, of an immediate danger of further violences : It was therefore the general opinion, that they might take time to ascertain the facts of the riot on Friday evening, before they proceeded to order the bringing the offenders to justice, or to prevent

prevent the like offences for the future. I have this morning informed them of the present apprehensions of further violences, and they are now taking the same into consideration.

I am, Gentlemen, &c.

(Signed) FRA. BERNARD.

To the Hon. the Commissioners of the Customs.

Copy of the Commissioners Letter to Capt. Corner, dated Romney, June 13, 1768.

S I R,

AS the officers of the Customs, and our servants in Boston, are exposed to the utmost outrages from the violences of the people, we desire you would afford shelter on board his Majesty's ship under your command, to such of them as may take the benefit of that protection, and you will please to issue orders for their being received and victualled.

We are, &c.

To Capt. Corner, Commander of his Majesty's ship the Romney.

Signed { Henry Hulton,
J. Temple,
W. Burch,
Cha. Paxton,
J. Robinson.

Copy of a Letter from the Commissioners of the Customs in Boston, to Governor Bernard.

S I R,

WHEN your Excellency met in Council last Saturday, we were in hopes to have heard that effectual measures would have been taken to aid and protect us, and our officers, in carrying on the service of the revenue, and for preserving the peace of the town; but we were much surprized to find, that a Committee was only appointed to ascertain the facts attending the tumult of the pre-

ceding night, and that your Council was not to sit again till this day.

On Saturday afternoon, finding ourselves utterly insecure in town, the major part of us were obliged to seek for an asylum where we now sit as a Board, being persuaded of the danger of attempting to proceed in our duty in town.

The disorders of the town, we are sorry to observe, are increasing to such an enormous pitch, as to give it the appearance more of an insurrection than a riot; and we find ourselves obliged to apply to your Excellency, to grant us such aid and protection, as may enable us and our officers to proceed in our duty: and that we may be in some degree enabled to judge, whether the aid and protection you will think proper to grant, will be adequate to the distressed and embarrassed state of the service, we must request, that you will let us know, what kind of aid and protection we may expect to receive.

Signed { Henry Hulton,
J. Temple,
Wm. Burch,
C. Paxton,
J. Robinson.

On board his Majesty's ship
Romney, June 13, 1768.

Jamaica-Plains, *June 13, 1768.*

Gentlemen,

I AM very sorry, that you think yourselves so much in danger in Boston, as to make it unsafe for you to reside there. As you judge it necessary to your security to resort to the Castle, I hereby inclose orders to the Captain of the Castle to receive you and your families, and the Officers of your Board,

Board, and to accommodate you there, and to give you all the protection and security in his power.

I am, Gentlemen, your most obedient humble
Servant, FRA. BERNARD.

To the Honourable the Commissioners of His Majesty's Customs.

Boston, 13th June, 1768.

Gentlemen,

IN answer to that part of your letter of this day, wherein you desire me to grant you such aid and protection as may enable you and your Officers to proceed in your duty; I can only inform you, that, after several hours deliberation of the necessity of taking some measures to preserve the peace of the town, and what those measures should be, the Council have come to a resolution, that as there appears to be no immediate danger of further violence, they are of opinion, that it would be best to refer this matter to the consideration of a Committee of both houses; I therefore cannot at present let you know, what kind of aid and protection you may expect to receive.

I am, Gentlemen, your most obedient humble
Servant, FRA. BERNARD.

To the Honourable the Commissioners of his Majesty's Customs.

Copy of a Letter to the Commissioners, from the Collector and Comptroller of Boston, dated on board the Romney, 14th June, 1768.

Honourable Sirs,

THE depositions, which we laid before your Honours, on the 11th instant, concerning the outrageous manner in which we were attacked and treated on the preceeding evening, after making seizure of the sloop Liberty belonging to Mr. Hancock, will best describe what happened on that oc-

caſion. And by our Letter of the 12th your Honours will have obſerved the inflamed temper of the people, and the ſtipulations that were demanded for a truce until the Monday; after which period they ſeemed determined to take their own meaſures for redreſs. The event however has manifested that the peace and tranquillity of the town was not the object they meant to ſeek after; for no aſſurance was ſent on the part of Mr. Hancock, either verbally or in writing, that he would agree to any ſtipulations for the re-delivery of the ſloop; and we are of opinion, that it was no part of their deſign to let go this plea for breaking out into open violence.

After the ruſſian treatment we had experienced on the Friday evening, merely for executing our duty, the ſtipulation broke through, knowing the perverſeneſs of the people, and the temper of the times, our lives threatned, and hearing that even your Honours had been obliged to ſeek refuge on board his Maſteſty's ſhip in the harbour, our own ſafeties became a conſideration of a very ſerious nature. The Collector has had an intimation, that he would be laid hold of by way of reprizals; and the inveteracy againſt the Comptroller is ſo general and confirmed, that they have both been obliged to leave the town, and ſeek for an aſylum from the fury of a diſtracted and enraged multitude.

The buſineſs of the Collector is left in charge of his Deputy Mr. Sheaffe, and the Comptroller's with his Clerk, both capable of duly executing their reſpective offices, ſo long as any Officer belonging to the Customs ſhall be ſuffered to remain in this place. But it is with deep concern that we acquaint your Honours, of what we hear repeatedly from all quarters, which is, that a general ſpirit of inſurrection prevails, not only in the town, but throughout the whole provinces; and when we reflect on
what

what has passed before, we fear it has too much the air of truth.

We are, &c.

(Signed) Jos. Harrifon
Benj. Hallowell.

Copy of a Letter from the Honorable the Commissioners of the Customs at Boston, to Commodore Hood.

SIR,

Finding it utterly impossible to carry on the business of the Revenue in the town of Boston from the outrageous behavior of the people, who grossly abused and wounded the Collector, and Comptroller, and other Officers in the execution of their duty, on the 10th instant, and still continue to threaten their and our lives, we took shelter on board his Majesty's ship Romney, and desired Captain Corner to put us on shore at Castle-William, where we now are, and at our request Captain Corner will continue near to the Castle for our protection.

The ferment amongst the people has greatly increased since the 10th instant, and we are persuaded, that their leaders will urge them to the most violent measures, even to open revolt; for one of their Demagogues in a town-meeting yesterday, said, if they were called on to defend their Liberties and Privileges, he hoped and believed they would one and all resist, even unto blood.

What steps the Governor and his Council may take we cannot tell; but having applied to them, we have not received any assurances of protection; and we are persuaded the Governor will not apply for troops without the advice of his Council; which measure we do not imagine they will recommend; and we now write, Sir, to acquaint you of the very alarming state of things in Boston, and to desire you

will

will give us such further protection, as you may be able to afford us in the present exigency.

We are, &c.

(Signed)

Hen. Hulton

J. Temple

Castle William, Boston Har-
bour, 15 June 1768.

William Burch

Char. Paxton

John Robinson.

Samuel Hood, Esq;

[A Copy of the foregoing Letter was sent to his Excellency General Gage, at New York, and to Colonel Dalrymple, at Halifax.]

Boston, 14th June 1768, 6 o'clock, P. M.

Honourable Gentlemen,

AT three o'clock this afternoon there was a very numerous meeting of the inhabitants of the town of Boston at Faneuil Hall, when James Otis, Esq. was chosen Moderator. But before he came to the Hall, a motion was made to exclude the tide waiters from being present, several of them being then in the meeting, but 'twas objected to as having no right to such a proceeding, and that it would be best, every one should hear what was to be offered. When the Moderator came, he was ushered into the Hall by an almost universal clap of hands. By this time the Hall being quite full, and a great number being outside, the meeting was adjourned from the Hall to Dr. Sewall's meeting-house, as being much larger for that purpose. The doors of the meeting house were soon opened, and the people crowded in, when silence being called, a motion was made, that a paper in the hands of one of the Select men might be read, which was a petition of the inhabitants of the town of Boston, to his Excellency Governor Bernard, in which was represented

represented the difficulties and burthens the town labours under; in particular with regard to his Majesty's ship Romney, now in our Harbour, and praying his Excellency would cause the said ship to be removed; and a Committee of twenty-one persons was chosen to wait on his Excellency the Governor immediately, at his seat at Roxbury, with the aforesaid petition, and the said Committee are gone accordingly. In the said petition complaint was also made of the unlimited power of the Board of Commissioners, and other grievances; notwithstanding little else was said about the Board of Commissioners, or the riot that happened last Friday evening. A motion was then made, that the meeting be adjourned till to morrow afternoon 4 o'clock, which was agreed to by a large majority, the Moderator first making a speech to the inhabitants, strongly recommending peace and good order, and the grievance the people labour under might in time be removed; if not, and we were called on to defend our Liberties and Privileges, he hoped and believed we should one and all resist even unto Blood; but, at the same time, prayed Almighty God it might never so happen. After the meeting, people's minds seemed somewhat easy. All inaccuracies we hope will be overlooked, and shall take due care to inform you, honourable Gentlemen, of every thing in our power conducive to his Majesty's service, which it ever has been, and we humbly beg leave to say, ever shall be, our sincere wish at least is so to do.

G. —————

who was on board of his Majesty's ship
Romney in the forenoon.

*Extract of a Letter from a Gentleman of character,
dated Boston, June 14th, 1768,*

Sir,

MR. ——— this morning delivered your kind message; I am sincerely sorry for the ill behaviour of the people, which must terminate in their ruin and destruction.——There certainly is, among some of the most wicked and abandoned, a settled scheme to oppose even the King's troops landing, if that should be attempted, and they are endeavouring to get the country to join in that most profligate and vile undertaking; however, I think it is beyond all doubt, but those of property, and the better sort of people among us, will discountenance such intolerable madness; and will, notwithstanding the malicious and unreasonable efforts of a few, lost to all sense of gratitude to their Mother country, desperate in their fortunes, and in short devoid of all principles except such as are peculiar to Devils, exert themselves against such a measure, as soon as they dare act in conformity to their own judgment.

It is my opinion, that the promoters of the present evils are ready to unmask, and openly discover their long and latent design to rebel, and if possible, to involve this miserable country in blood and horror. Heaven avert the evil! To commit to writing the various methods, by which they delude the ignorant, and persuade the vicious, would be extremely tedious; but in general, nothing is left undone to accomplish both.

One of their grand objects is to spread the infection, and thereby bring all the Colonies to the very verge of a general revolt; if they are disappointed in this, their projects will drop of course.

I still am, and will continue to be, Dear Sir,

Your sincere friend, and most obedient Servant.

Extract of a Letter from a Gentleman well acquainted with the state of the town of Boston.

Dear Sir,

IT is with the utmost concern that I observe a great uneasiness, and unusual sourness, in the minds of the people in general; have much grieved at the public abuses of some great personages among us, who, to say no more, have merited very different treatment. Much might be said on that head; but to pursue what was more immediately in my mind; I don't know, but fear, that the uproar of Friday night is but a prelude of greater disturbances: and, Sir, as my regards for you are unfeigned, I would just hint what I have noticed from the several quarters, &c. The People, as a People, are exceedingly averse to the Gentlemen of the Honourable Board of Commissioners.—I have heard your name ofteneft mentioned.—I have obviated many things, and anticipated others, to the utmost of my poor abilities.—I know that these convulsions among these people must give you uneasiness: but rouse your philosophy.—I fear there will be more confusion; though I do but guess, for I am in no secret: yet, at the same time, he that runs may read, that, without some speedy interposition, a great storm will arise; which God avert.

I am,

Dear Sir, &c.

(A true copy.)

M E M O R I A L
O F T H E
C O M M I S S I O N E R S o f t h e C U S T O M S
I N
N O R T H - A M E R I C A,
J U L Y 11, 1768;
A N D P A P E R S T H E R E U N T O A N N E X E D.

*Copy of a Letter from the Commissioners of the Customs
at Boston, to the Lords Commissioners of his Ma-
jesty's Treasury.*

May it please your Lordships,

I N our Memorial of the 16th of June, we represented the situation we were then in, and laid before your Lordships sundry papers relative thereto, and our proceedings thereon; and we now transmit copies of letters we received from General Gage at New-York, and Commodore Hood and Colonel Dalrymple at Halifax, in answer to our letters, copies of which were inclosed in the fore-mentioned papers.

His Majesty's ship Romney, and sloops the Beaver and Senegal, with two schooners, are now in this harbour; and this protection, afforded us by Commodore Hood, has been the most seasonable, as, without them, we should not have considered ourselves in safety, nor his Majesty's Castle secured from falling into the hands of the people.

The

The inconveniencies we are exposed to we bear with chearfulness, and beg leave to assure your Lordships, that no difficulties shall abate our zeal in the service : but it is impossible for us to set foot in Boston, until there are two or three regiments in the town, to restore and support Government : we further represent, that the Castle being situated on a small island in the Bay, about a league from the town, will render our situation, any longer than the summer months, insupportable. We therefore pray your Lordships, that orders may be given for our residence and protection before the winter.

Which is humbly submitted,

Castle-William,
Boston Harbour,
11th July 1768.

John Robinson,
Hen. Hulton,
Wm. Burch,
Cha. Paxton.

[It may here be observed, that at the commencement of this Board of Commissioners, a majority of them considered it necessary for all the members to sign such Letters and Memorials to the Treasury as should be agreed on by the major part. Accordingly it became a rule, that the whole should sign whatever was so agreed on, notwithstanding the dissent of any individual. This (it is said) was very reluctantly complied with by one of them, who immediately applied to the Treasury to be instructed whether such signing was indispensibly necessary. The answer was in the negative : since which, that member (we are well assured) has withheld his signature from all Letters, Memorials and Papers he in conscience thought wrong : and that he took the precaution by writing home to set aside the effect of his signature to all such as went forward, before he had obtained the sense of the Treasury upon that matter.]

Copy

Copy of a Letter from General Gage to the Commissioners of the Customs at Boston, dated New-York, June 21, 1768.

Gentlemen,

I Am sincerely concerned to learn by your Letter of the 15th instant, delivered to me by Mr. Elliot, Collector of this Port, that the turbulent state of affairs in the city of Boston has laid you under the necessity to take shelter at Castle-William, and to have occasion for the aid of his Majesty's forces.

My inclination would lead me to order troops to march immediately for your protection; but you must be sensible that it would be highly improper in me to order troops into a Province for the purpose of quelling riots, unless application should be first made to that end by the civil power.

I have yet heard nothing on this subject from Governor Bernard, who must be best acquainted with the situation of affairs in his Province, and the properest judge how far such a measure would be expedient and necessary.

The moment he applies to me for the aid of the King's forces to support his Majesty's government on this or any other occasion, they shall move to his assistance with as much dispatch as it shall be possible for them to do, and as many of them as he can in reason demand.

I have the honour to be with great regard,

Gentlemen, &c. (Signed) THO. GAGE.
Commissioners of his
Majesty's Customs }
North-America. }

Copy of a Letter from Commodore Hood to the honourable Commissioners of his Majesty's Customs at Boston.

Gentlemen,

I Have received your two letters of the 15th and 18th, and am very sorry affairs at Boston wear so unpleasant an aspect; I have ordered the Beaver to return immediately as well as the Saint Lawrence schooner; and if you think further Naval Force essentially necessary for carrying on the King's business, I shall be happy in sending it to the utmost of my Power on the first application; at present I have only a forty gun ship wholly unrigged and under repair; but am in daily expectation of three or four.

I am, &c.

(Signed)

SAMUEL HOOD.

Commissioners }
Customs Boston. }

Copy of a Letter from Colonel Dalrymple, to the honourable the Commissioners of the Customs at Boston, dated at Halifax, June 23d, 1768.

Gentlemen,

THE immediate return of his Majesty's ship *Beaver*, only allows me to acknowledge the honour of the Letter from your honourable Board, dated June 15th, as well as the receipt of some other Papers occasioned by the late outrageous proceedings at Boston.

My feelings as a man joined with those of a servant of the Crown, are deeply affected on this occasion;

K

caſion; and I am very unhappy at not being able to give you inſtant and effectual relief; but the Board may rely entirely on my performing the part that my ſituation enables me to do, which is the holding ready at a minute's warning the whole of the troops under my command, to act in obedience to any *orders*, or in compliance with any *requiſitions* given or ſignified to me by my ſuperiors; and I truſt, that, ſhould there be unhappily occaſion, the force here is more than ſufficient to compel all thoſe who ſhall dare to reſiſt lawful authority, to act in a manner more becoming good ſubjects.

I ſhall at all times eſteem it honour to prove myſelf, Gentlemen,

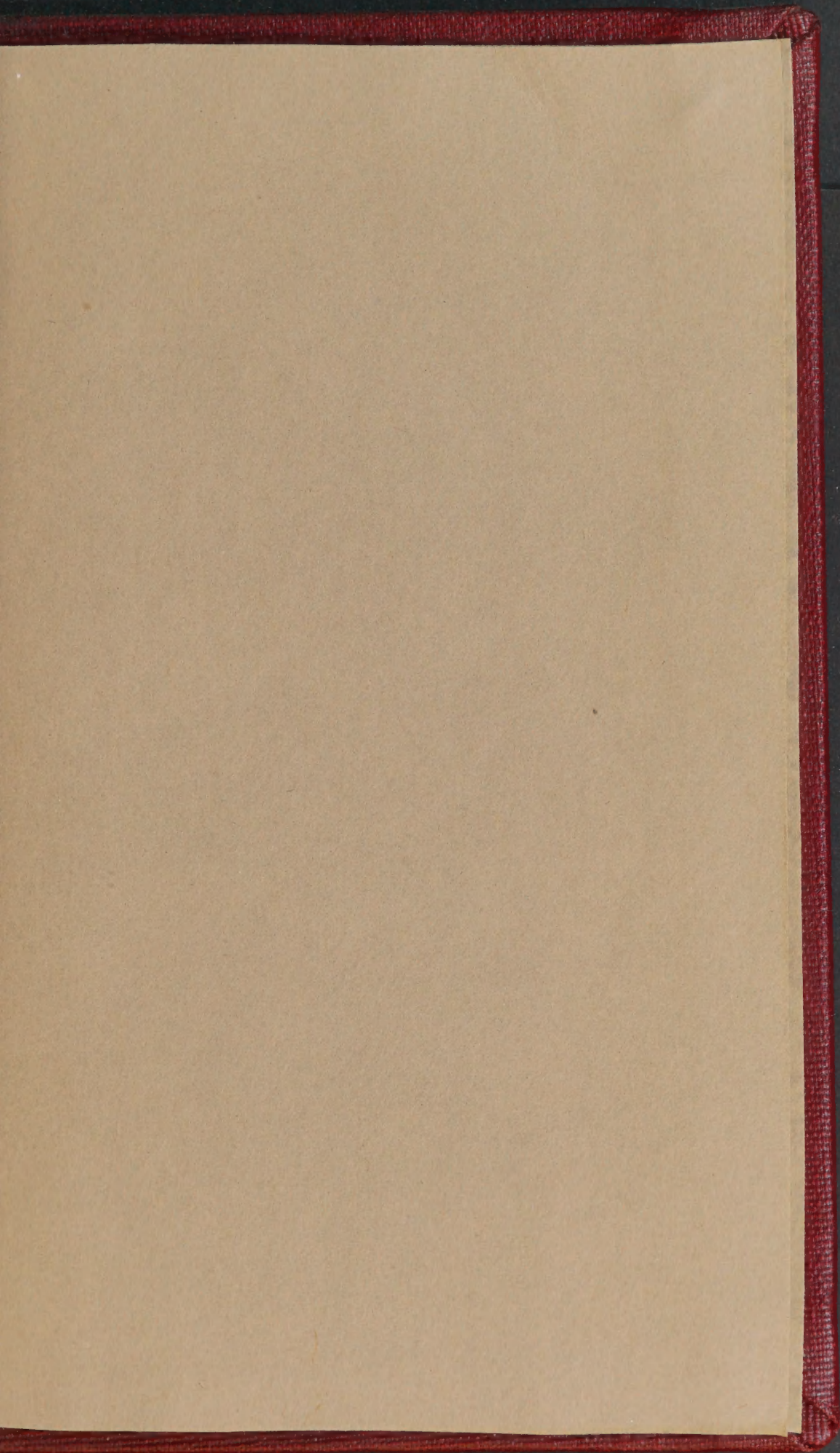
Your moſt humble and moſt obedient ſervant,

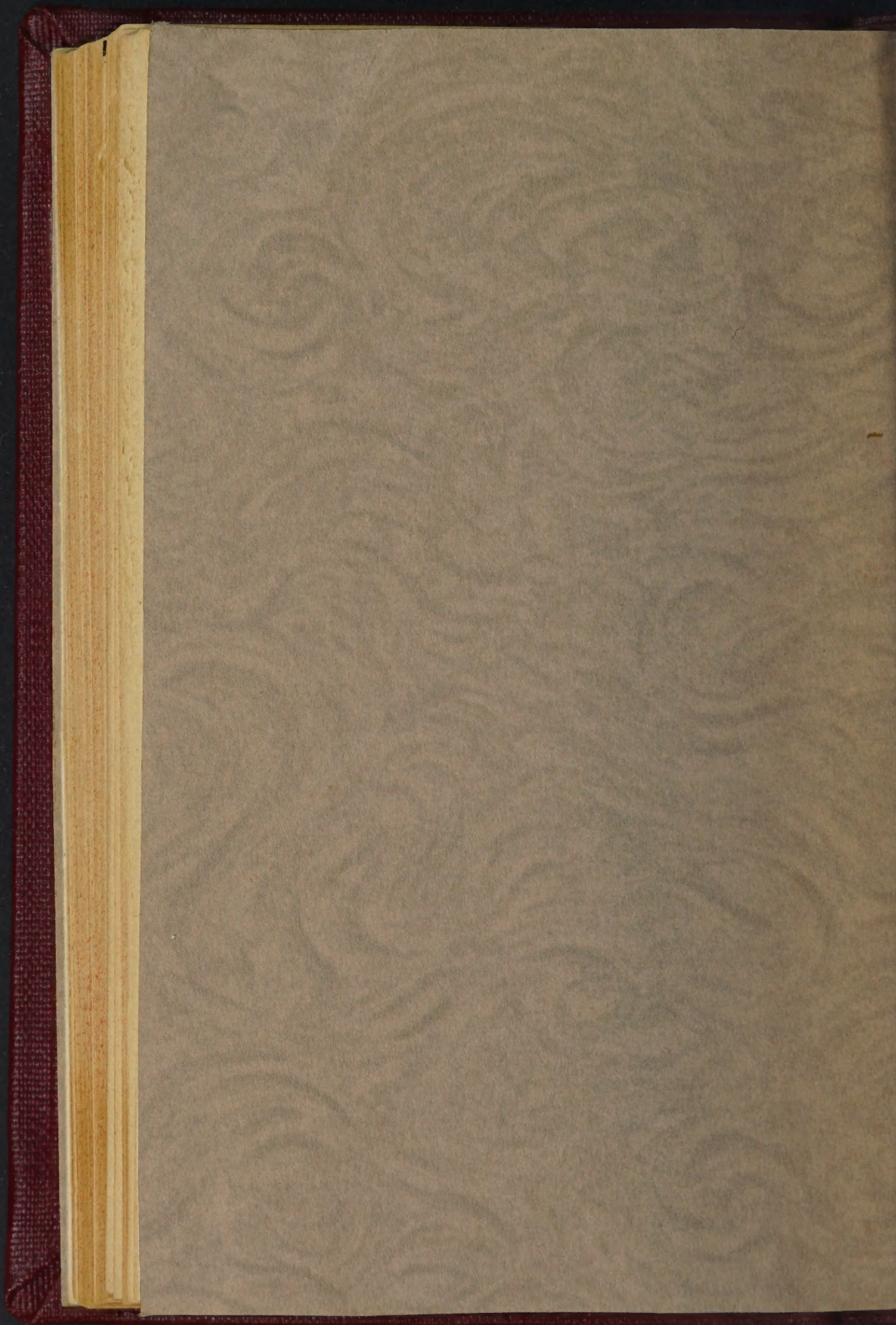
(Signed) W. DALRYMPLE.

A true copy.

F I N I S.







1764321

